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SIMPLICITY, PUBLICITY AND EFFICIENCY IN MUNICIPAL AFFAIRS¹

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Philadelphia

CERTAIN new words have been introduced into the discussion of municipal affairs within the past half-dozen years that may properly be regarded as significant sign-posts. These three words are: Simplicity, publicity and efficiency. Honesty is of course regarded as an essential in the administration of municipal affairs; but it is now generally recognized that it is not alone sufficient to solve the problems incident to the very rapid growth of urban communities, at home and abroad.

There has been a growing conviction that the complex systems of the preceding generation, devised as a means to insure good city government automatically have failed of their purpose. The chief result of their introduction has been the strengthening of the power of the professional politician, and of the organizations which he has built up under varying party designations. The commission form of municipal government has in those communities (now 257 in number) where it has been adopted, resulted in giving to the people a simple, direct way of controlling their affairs. Many of its advocates, it is quite true, felt that the new system would of itself insure efficiency, and the selection of competent men for municipal office. Experience, however, has been sufficiently long and sufficiently widespread to show the fallacy of this view. At the same time, the system has helped communities to get control of their political affairs through the introduction of a plan so simple and so direct that it could easily be understood and applied by the average busy elector.

There is no apparent diminution of interest in this form of city government. The movement is really not much over five years old; for while Galveston, the city where it was first applied, has had a commission govern-

¹ Annual review read at the eighteenth annual meeting of the National Municipal League, at Los Angeles, July 9, 1912.

² Secretary, National Municipal League.

ment since 1901, and Houston since 1905, it was not until the year 1907 that any headway was made. In that year 9 cities, including Des Moines, adopted commission government; 1908's record was 6; 1909's, 29; while in the year 1910, 58 cities adopted the form, and in 1911, 95. The movement's greatest development continues in the central west. The northwestern group (Minnesota, Iowa, South Dakota, North Dakota, Kansas, Nebraska, Wyoming, and Montana) leads, with 64 cities; and the southwestern group (Colorado, Oklahoma, Texas, and New Mexico) follows with 59. The other groups are as follows: Northern central, 39; Pacific and Rocky, 32; southern central, 27; southern, 14; middle, 15; New England, 7.³

In a number of states like New York and Pennsylvania there are vigorous efforts to secure enabling legislation, so that cities can avail themselves of the new form. Already the larger cities are beginning seriously to consider the problem. St. Paul, with its population of 214,000, has voted to inaugurate the new plan on January 1, 1914. New Orleans has inaugurated the form this year; and Los Angeles has drafted a commission charter for submission this autumn. To date, no city that has adopted the form has formally abandoned it.

The records of those cities which have had two or more years of experience have been uniformly encouraging; although it must be conceded that in a number of communities there is more or less disappointment because the character of men selected as commissioners has not been higher; generally speaking the present character of officials in commission governed cities is very much higher than prevailed under the older forms. This is because the electors are beginning to see that they are responsible, in the last analysis, and not the form of government, for the character of officials selected. At most, a law can make it easy and feasible to select competent men. It can not of itself take the place of the power and duty of selection, which rests—where it has always rested, where it must always continue to rest—in the hands of the electors themselves.

Among thoughtful students there is now no difference of opinion that the commission form of government has been the chief and most suggestive single experiment thus far made in connection with the machinery of municipal government; because it has embodied the short ballot idea and the principle of concentration of responsible power in one small body of officials and the abolition of the ward system and through the elimination of party labels on the ballot, has materially aided in diminishing the element of partisanship. Moreover, it has measurably advanced the idea of intelligent and effective publicity.

These, in brief, may be said to be the chief contributions of the commission form of government; and highly important they are. They may not have been the next logical steps; but experience has shown them to

³ These are the figures for November 15, 1912.

have been the next practical steps. That approximately 5,000,000 urban citizens are living, with increasing general satisfaction under these provisions, is a factor of really striking importance, which should be carefully borne in mind in those older states which have as yet made but comparatively little progress in improving municipal machinery.

The chief function of a legislative body is to formulate policies. Prof. Frank J. Goodnow, of Columbia, in the National Municipal League's *Municipal Program* clearly shows that:

It is possible to distinguish in all forms and grades of government two ultimate or primary functions: The one consists in the determination of the public policy; the other in the execution of that policy after it has been once determined. The one function is legislation; the other administration. This distinction of governmental functions has been made from an early time and is at the basis of that fundamental principle of American constitutional law usually referred to as the principle of the separation of powers. It is a distinction based upon a sound psychology. In the case of a single sentient being the will must be formulated, if not expressed, before its execution is possible. In the case of political bodies, which are more and more coming to be recognized as subject to psychological law, not only must the will or policy be formulated before it can be executed, but also the very complexity of their operations makes it almost impossible to intrust the same authority as well with the execution as with the determination of the public policy. This is so not merely because the function of determining the public policy requires deliberation while the function of its execution requires quickness of action, but also because the burden of government is too great to permit of its being borne by any one authority.

To the extent to which the commission form of municipal government mingles the policy-determining and the policy-executing functions in one and the same body of men, there is serious danger. The very method of selecting commissioners (and it is inevitable that they should be so chosen) makes against efficient administration. Though it makes each councilor a real, as well as a titular, executive chief, by paying him a salary (in most cases, however, an inadequate one) and by making him personally responsible for the management of one of the departments into which the executive branch of the government is divided, it provides that he shall be elected for a short term, usually for two years; and that he shall be elected by the whole body of voters at the polls, and that he shall constitute one-fifth or one-seventh, as the case may be, of the only legislative body of the city. To put an official on an expert professional basis it is necessary, as Dr. C. G. Hoag, the proportional representation advocate, maintains:

To provide that he shall serve indefinitely if only he serves creditably; that he shall be selected and retained by some person or group of persons acquainted with the requirements of his office and competent to judge, after thorough inquiry, of his special qualifications for it, and that his political opinions shall not be confused with his qualifications for purely executive duties.

Dr. Hoag further shows that in England and in Prussia the problem of putting the chief executives on an expert professional basis has been solved with results that evoke the constant and the deserved praises of American municipal publicists. The English town clerk and the Prussian *burgomeister* are chosen by the legislative council (which is elected at the polls) after full inquiry into the training, experience and other qualifications of the applicants; and they are retained in office so long as they are satisfactory to the same competent body. This solution is obvious enough, of course; and its success in Europe has not failed to attract attention in America. Americans however did not adopt it for themselves, simply because they did not trust their city councils. They have not trusted them for reasons already hinted at: They were not responsive to sound public opinion: they were under control adverse to the public because elected by wards, which were too often little more than rotten boroughs, they were elected under a system too complicated for the elector of average busy activity to master and control, and moreover they were based on a fatal distribution of power and responsibility.

Commission government in our cities has done more than any other one agency to restore the council to a position of respect and confidence; because it occupies, under such a form, a position of power and responsibility, and is responsive to the public opinion of the city and provides for a simple and direct formulation of that public opinion. Recent suggestions and developments have all been in the direction of giving to the council more, rather than less, power and responsibility—to make it, in other words, the real policy-determining body, with expert operating efficiency as a part of that policy.

Two most interesting experiments in this direction are now being urged: One in the city of Los Angeles, perhaps the most progressive single city in the United States; the other in Indiana, the municipalities of which have heretofore been properly grouped in the reactionary class.

In Los Angeles the charter committee chosen by the council (subsequently chosen as the board of freeholders) has sought to adapt the commission form of government to the needs of the large city and to the insistent demand for real efficiency and democracy. This it aims to do through a commission of seven, elected at large; each commissioner to be the non-expert political head of a great department, with expert operatives administrators, chosen to execute the policy of the council, immediately under him. All officials and employees, except the city controller, police justices and public defender, to be chosen by an adequately devised competitive examination.

In Indiana a "business plan," formulated by the Fort Wayne Commercial Club and advocated by the commercial clubs of the state, is being urged. Briefly, it provides for fifteen councilors, elected at large, on a

non-partisan primary plan. The board of councilors become the appointing power of the city, on the basis that for policy one must elect, and for efficiency one must appoint. This plan is very close to the board of directors plan which so widely prevails in private corporations. The entire control and management of the city government under this business plan rests with the mayor and four commissioners, who appoint all officials and employees under civil service rules. For the purpose of enabling the people to exercise complete control over the board of councilors, they can use the recall on one or all of the board if 25 per cent of the voters will sign a petition to that effect, which must contain a general statement of the grounds for removal. A somewhat similar plan has been elaborated by Mr. Hoag, who, however, couples with it the suggestion of proportional representation, an idea which thus far has received more attention abroad than in this country.

Commission government represents simplicity rather than efficiency. It represents simplicity, because it substitutes a simple for a complex form of government. It fails to provide for adequate efficiency, because in most instances it fails to provide adequately for the selection and retention not only of experts in municipal affairs (for that is a failing of practically all American charters), but it fails to provide for the selection and retention of efficient men in the average run of offices. As a consequence, it is quite possible for shrewd and skilful men to handle the patronage of a community in a way to serve their personal interests more effectively than the city's needs.

Whatever may be the ultimate form of American municipal government, this much can now be asserted with a fair degree of positiveness: The double chambered municipal legislature must yield to the single-chambered one elected at large; so that there may be at one and the same time a simple and an effective policy-determining body responsive to the wishes of the municipal population.

Coincident with the commission government development has been the movement for municipal home rule. Until within a very short time the cities have been regarded as incapable of determining their policies, or of managing their own affairs. These have been determined or managed for them through the state legislatures, elected for sundry other purposes, involving questions both of national and of state politics. The people are beginning to realize, however, that if the cities are to be rescued from the slough of inefficiency, mismanagement and corruption into which they fell a generation or more ago, they must do it through their own efforts—that they must have the right of self-government. On the Pacific Coast this right is now universally recognized in the constitution of the states, and in the practice of the legislatures and of the cities. So in Colorado,

where the Rush amendment, embodying the constitutional amendment drafted by the National Municipal League, gives to the cities of that state complete municipal autonomy. Slowly the movement is coming eastward. We find Michigan granting this power of municipal home rule to its cities; and the recent The Ohio Municipal Constitutional Convention adopted broad home rule provisions which the voters of the state ratified by a large majority. A healthy movement for municipal home rule exists in New York, in Virginia and in several other eastern states.

In many places the right of the locality to manage its own affairs is recognized in the passage of bills drafted by local authorities to meet local needs. Municipal electors, however, will not be satisfied until they can have a full and free hand to determine their own municipal policies.

Not only has the tendency towards simplicity, directness and publicity manifested itself in the forms of charters adopted by American cities, but in such matters as that of taxation. In the main the general tendencies, during the past decade of years, of the recommendations made by various conferences and meetings of students and administrators of taxation, have been in that direction; and legislation has sought to secure directness in the sense of certainty, as indicated by the substitution of state income taxes and of various special taxes for the general property tax in various places. There has also been a decided tendency toward publicity, especially of real estate assessments and methods.

The short ballot is another phase of the movement to enforce simplicity, directness and publicity. Sentiment in its behalf is growing very rapidly. Unquestionably a considerable part of the commission government movement is due to the public belief that to secure real democracy the people must not be overworked in the matter of the selection of their officials. As the assistant secretary of the Short Ballot Organization so aptly stated a short time since:

Beneath its surface simplicity the short ballot idea strikes rudely at some of the most cherished and deep-rooted political traditions in American political thought. . . . It runs counter to political superstitions which have been responsible for much of the lack of popular control with the resultant inefficiency and corruption which have been characteristic of state and city government. The election of minor officials is not a boon and a privilege but a specious device to keep from the common people the control of their government.

The dangerously-great power of politicians in our country . . . rests on the fact that we are living under a form of democracy that is so unworkable as to constitute in practice a pseudo-democracy. It is unworkable because,

First. It submits to popular election offices which are too unimportant to attract (or deserve) public attention, and,

Second. It submits to popular election so many offices at one time that many of them are inevitably crowded out from proper public attention, and,

Third. It submits to popular election so many offices at one time that the business of making up the electoral tickets necessary at every election makes the political machine an indispensable instrument in electoral action.

The "Short Ballot" principle is:

First. That only those offices should be elective which are important enough to attract (and deserve) public examination.

Second. That very few offices should be filled by election at one time, so as to permit adequate and unconfused public examination of the candidates.

Direct legislation represents still another effort in the effort to enforce the will of the community in simple and direct fashion. It is an essential part of most commission governments, but it can be and has been utilized in other forms. For instance, it is an integral part of the Indiana "business plan" already referred to.

Professor Munro, in his volume on *The Initiative, Referendum and Recall*, in the National Municipal League Series, declares:

There has been no more striking phenomenon in the development of American political institutions during the last ten years than the rise to prominence in public discussion and, consequently, to recognition upon the statute-book, of those so-termed newer weapons of democracy: The initiative, referendum and recall. . . . For this growth in popularity a two-fold reason may be assigned: On the one hand, it is a logical by-product of the declining popular trust in the judgment and integrity of elective legislators. . . . In the second place, the representatives of the people have themselves shown a readiness to adopt the movement. American legislative bodies do their work under the serious handicaps arising both from the lack of *efficient* leadership and from the division both of power and responsibility which is inherent in the system under which they are expected to perform their functions. Thoughtful men, both in the state legislatures and in the large city councils of most American cities, have come to realize that efficient legislation requires both leadership and centralization of responsibility.

Efficiency is a word which has been introduced into our municipal vocabulary within a very few years. It represents the advance line of the movement for better municipal government. The bureaus of municipal research have been responsible for a measure of the demand for efficiency, because they have shown so clearly and indisputably the inefficiency of present methods. They have not been alone, however, in recognizing and emphasizing this fact. Those interested in the improvement of the civil service of the community have urged for years that not only were honesty and freedom from political control essentials, but that steps must be taken for the selection of the most competent and efficient men, not only in the minor, but in the major places as well. The report of the joint committee of the National Municipal League and the National Civil Service Reform League

on the selection and retention of experts in municipal service,⁴ is an official recognition of this sentiment; and the establishment of efficiency bureaus in numerous cities is a further manifestation of the same thought. So considerable has been the growth of the demand for efficiency, not only in governmental affairs, but in private affairs as well (for the methods pursued in private concerns have not always been calculated to produce the best results with the least expenditure of time and money) that it has resulted in the organization of an efficiency society, the object of which is to bring together those who are interested in attaining this end in the management of affairs, both public and private.

Another development of interest along these lines is the utilization of the university trained men in municipal affairs. Somewhat over a year ago an arrangement was entered into between Harvard and the municipality of Cambridge, providing for coöperation between the members of the faculty of the former and the various official bodies of the latter. For instance, certain of the university professors rendered most efficient help to the building commission appointed to examine the city buildings and make recommendations as to repairs and the most economical way to effect them.

In Philadelphia, shortly after the inauguration of the present administration, the provost of the University of Pennsylvania wrote to the mayor saying that it gave him pleasure to say that after a conference with his board of trustees he was in a position to announce that the University of Pennsylvania would be glad through its professors to coöperate with the city at any time, in the solution of the problems which arise from time to time in the various departments of the city. As a result of this, the university has designated a member of a committee of three to advise with the department of public works on those aspects of the water problem which affect the public health; another member of the faculty has been designated to conduct an expert examination of the city's water; and still another is at work on the franchise problem. In addition to this, the university has been giving lectures from time to time for the inspectors and assistants in the bureau of highways, with a view to enabling them to become more efficient and effective in the discharge of their respective duties.

The same tendencies that are manifested in other departments of municipal activity, find expression in the municipal policy concerning public utilities. There is an increasing tendency to give to the people and their official representatives a completer and a more direct control of their operation and management with a corresponding increase in efficiency and effectiveness.

Non-partisanship, or more accurately a disregard of national politics in the determination of municipal questions, is constantly getting a stronger

⁴ See NATIONAL MUNICIPAL REVIEW, vol. i, p. 646.

hold upon the voters of American cities. In no one of the cities now under a commission form of government is there any mention of a national party, or for that matter of any party on the ballots, used either at the primary or at the general election. In a lengthening list of the larger cities, e.g., Boston, Seattle, Portland, Ore., San Francisco, and Los Angeles, the same conditions prevail.

Speaking of the latter city brings to mind its *Municipal News*, which is a weekly actually conducted by the city. A striking feature of this paper, under the provisions of the ordinance establishing it is that one of its pages is devoted to party politics, a column each for the Democratic, the Good Government organization, the Republican, the Socialist party, and the Socialist Labor party. The first two organizations named availed themselves of the space. The Socialists did likewise, both branches having a column. The Republican organization, however, refused, giving its reasons, in part, as follows:

The Republican county central committee is opposed to the use for partisan purposes of a municipal newspaper financed by the city of Los Angeles and published under the direction of city officials. We believe with Theodore Roosevelt—"The worst evils that affect our local government arise from and are the inevitable result of the mixing up of the city affairs with the party politics of the nation and of the state. The lines upon which national parties divide have no necessary connection with the business of the city." This committee does not desire to furnish anything of a partisan nature for publication in the *Municipal News* and regrets exceedingly that opportunity is offered other political organizations and national parties to use the columns of the municipal paper in this city for such purposes.

While on the Pacific coast last winter, nearly two months, and while in some communities, notably in Seattle, where fierce campaigns were being waged, I do not recall once hearing the national party labels used in connection with municipal affairs or candidates. I frequently asked an official's politics, but I was not always successful in finding out. Party politics, in the national sense, are disappearing in these far-western cities and so is the political boss.

The leading publicists of the day, headed by so distinguished a man as Ambassador Bryce, hold to the view that the national political parties should be and must be disregarded in the realm of city affairs if we are to solve our municipal problems. In opening a municipal congress and exposition in Chicago, Mayor Harrison, who was elected as a Democrat, advocated absolutely non-partisan municipal administration, as well as nominations and elections "based on individual merit, not on party label." Mayor Fitzgerald of Boston, on the same occasion, who was also elected as a Democrat, commended the German plan of selecting experts, regardless of politics, to serve as heads of municipal departments. The German

plan, by the way, includes the selection of mayors regardless of politics, geography or anything else that is not related to fitness and merit.

No one at a municipal congress, as the *Chicago Record Herald* pointed out at the time, would venture to defend the spoils system or naked partisanship in municipal administration. The absurdity of it would be too patent. Any such congress or exposition is a plea for merit and efficiency, a protest against irrelevant politics and spoils. Hence the value of such congresses and expositions. The speakers feel they must rise to a higher plane, the visitors hear the right gospel and inspect various "object lessons" illustrative of the growth of sense and method in local administration.

Former Mayor Speer of Denver, on his return from an European trip a year ago, declared that the most important thing needed in the government of American cities was the removal of party politics.

We are getting nearer to that point every year. We should only nominate men in whom we have confidence, and then pledge them to an administration of city affairs from which no one could tell to what political party they belonged.

Philadelphia affords a striking example of a great city disregarding party lines in the selection of its chief magistrate. All through the late mayoralty campaign there was a general disregard of the party appeal and the advocacy of candidates based on merit. This is as it should be and as it is coming to be. Party lines have set very lightly in most communities during the past year; and a very large number of cities have emancipated themselves from the shibboleth of partisan politics in municipal elections. This independence has manifested itself not only in the matter of the selection of officials, but in the votes upon various questions submitted to the electors for determination. Nevertheless, few people realize at its true value the growth of the municipal movement in this country and the development of sound municipal public opinion. A roll call of the cities will disclose a lengthening list of those communities that are breaking their shackles of subserviency to old conditions and low standards, and establishing in their place and stead governments that are simple in form, direct in their operation, public in their manifestation, and independent of old-time party shibboleths and leaders.

STATE VS. MUNICIPAL REGULATIONS OF PUBLIC UTILITIES

BY JOHN MORTON ESHLEMAN, M.A.¹

San Francisco

THE present constitutional provision² provides for the regulation of utilities outside of municipalities by the railroad commission and the regulation of utilities within municipalities by the municipal authorities to the extent of the powers vested in such municipal authorities at the time of the going into effect of legislation, which the constitutional amendment contemplated to be passed, conferring powers upon the railroad commission for which the constitutional mandate provided. Thereafter the option remains with the municipality to exercise such authority over the utilities within its borders or, by an election held for that purpose, to transfer such powers to the railroad commission, and having once transferred its powers, the right is reserved to retake the powers at a subsequent election, should the municipality desire.

This scheme of regulation makes it necessary for the public authorities, both state and municipal, to determine just what power is reposed in each several municipality at the time of the taking effect of the public utilities act of this state, which was the legislation passed pursuant to the constitutional amendment heretofore referred to. In order that there might be no unnecessary conflict between state and municipal authorities, the commission requested various city attorneys of the state to present their views as to what authority was vested in each municipality on the twenty-third day of March, 1912, the effective date of the public utilities act, and directed its attorney to investigate the various city charters with a view to rendering an opinion on this question for the future guidance of the commission.

It is our view that March 23, 1912, is the date which must be looked to in determining what powers were vested in the municipal authorities of the several cities. The powers which municipal authorities have are the powers conferred upon them by the state (a municipality being a creature of the state for local governmental purposes). All such municipalities have the ordinary police power which is the "power to conserve the health, comfort, happiness and convenience of its inhabitants."³ As to

¹Mr. Eshleman is president of the board of railroad commissioners for the state of California, and as such has had practical experience with the questions he discusses in his paper, which was read at the Los Angeles meeting of the National Municipal League.

²Art. xxiii, sec. 12, constitution of California.

³Tiedeman, *Municipal Corporations*, sec. 135.

such power over public utility corporations, the railroad commission, of course, has no authority. The power to fix rates of public utilities, however, is a power which must be conferred upon municipalities by direct action of the state.⁴

I have not overlooked the apparent enlargement of the police power of cities so as to include rate fixing powers by the decisions of some of the courts. I have particularly in mind the case of *Denninger vs. Recorder's Court of Pomona*,⁵ but the language used there, and which is usually referred to in support of the theory that the cities, under their police power, have the power of rate fixing, is certainly but dictum and not necessary to the decision of the case and, as pointed out by Mr. Max Thelen in his opinion to the commission, if section 11 of article xi of the California constitution be construed to confer upon the municipalities of the state the power to regulate the rates of public utilities in its grant of police powers, then section 19 of article xi would be mere surplusage as would also be section 1 of article xiv, as these sections confer the same powers as would be conferred in section 11 of article xi and would be wholly unnecessary.

The police power of the municipalities over public utilities is mainly the power to regulate the use of streets, and all cities whether under provisions of the constitution⁶ or under the general laws providing for the organization of certain classes of cities or under freeholders' charters as they existed on the twenty-third day of March, 1912, have power to regulate the rates for light, water, power, heat, transportation and telephone service or other means of communication in so far as such services are rendered within the limits of municipalities exercising such authority.

As to railroad corporations, certainly these cities have no authority except the ordinary police power which has already been adverted to. As to common carriers other than railroad and street railroad corporations, the municipalities have no power except the police power. As to service and equipment, no municipalities other than those which were operating under freeholders' charters on the twenty-third day of March, 1912, have any authority whatsoever. To determine the powers of chartered cities in this regard, it will be necessary to resort to the various charters and the design of this paper does not require that such be done. It is sufficient to say, however, that most of the freeholders' charters of the cities of the state of California provide for varying degrees of regulation of the service and equipment of the public utilities within their borders.

The public utilities act is not merely a compilation of the laws of the

⁴Wyman, *Public Service Corporations*, vol. 1, sec. 1410.

⁵145 Cal. 629.

⁶Section 11 of article xi, section 19 of article xi, section 1 of article xiv.

various states, but is rather a homogeneous enactment designed to cover every aspect of regulation that may be presented to a public authority. To be sure the experiences of other states have been used to the best advantage and particularly is our statute designed to escape the difficulties which have confronted other commissions. The act represents the combined efforts of a great many of the leading attorneys of the state, representing both the municipalities and the public utilities.

I assume that it will be agreed that the three principal divisions of public utility regulation are rates, service and securities. Falling within one or the other of these divisions are, I believe, all the subjects of regulation. The commission has been given the authority to regulate the rates, service and securities of street railroad corporations, railroad corporations, express corporations, pipe line corporations, gas corporations, electrical corporations, telephone and telegraph corporations, water corporations, vessels, warehousemen and wharfingers, and each of these is defined as a public utility. As incident to the fixing of rates, the commission is empowered to ascertain the valuation of the property of any public utility, and likewise to prescribe systems of accounts and regulate free or reduced rate transportation and prevent discriminations. As incident to service, the commission has all the powers that are ordinarily necessary to require adequate fulfillment of their duties to the public by utilities and specifically may require extensions, proper management, proper equipment, adequate number of trains or cars, track connections, construction of spur tracks, maintenance of a proper standard of quality for certain commodities, etc. Likewise the commission may prevent discrimination in service.

Street railroads, gas, electrical, telephone and water corporations are required to apply to the commission for a certificate of public convenience and necessity and also for the right to exercise franchises. These provisions have to do with both rates and service.

The power of the commission to regulate the issuance of securities of utilities companies is a power which has not heretofore been conferred upon any public authority in this state. The commission is not limited in dealing with securities to a refusal or a granting of permission to the utility to issue such securities. It may deny the application as made; it may grant it as made or it may grant it in a modified form by imposing conditions which seem right and necessary. This latter power is not conferred specifically upon the commissions in the various states, and lacking such specific grant, the courts usually take the view that the commission's authority is limited to the granting or the refusal to grant the application as made. This defect in the New York statute has very seriously interfered with the work of the public service commissions of that state, and the courts of New York have held that under the statute

there, the commissions have no power to impose conditions. Any stocks or bonds of a public utility which are issued without an order of the commission are void and the commission has the power to see that the proceeds of stock and bond issues are devoted to the purposes set out in the law and in the order of the commission.

While it does not have a direct bearing upon the divided authority over utilities, yet the court procedure for which the public utilities act provides is worthy of note. Heretofore it has been the practice often of public utilities to state very little of their cases before the commissions and then attack the orders of the commissions in the courts and produce the testimony before the courts which had been withheld from the commissions. Our act provides that no public utility may go into the court until it has asked for and been denied a rehearing before the commission, and it may only present to the courts those matters of evidence which have been theretofore presented to the commission. The resort is directly to the supreme court of the state by means of a writ of review. This method insures a complete presentation to the commission of all the facts surrounding the questions in issue and enables the commission to render its order with all the evidence before it which will be necessary to a correct decision.

The regulation of public utilities other than railroads in all of the states has been a growth and the first steps have usually been taken within the cities. Most of the states sought to regulate their railroads through state authority, usually through railroad commissions, but provided no state wide regulation of other utilities. Proceeding from the exercise of their police power, the cities have gradually been permitted to extend their authority until in many states the cities now have all the authority that the municipalities of this state enjoy. In by far the greater number of states, until very recently, there has been no attempt on the part of the state to regulate utilities other than railroads outside of municipalities, and hence we have had a condition grow up which has produced regulation of street railroads, gas, electric, telephone and water and similar corporations within the cities and has left these corporations free to work their own will as to all unincorporated territory.

An incorporated city has certain boundaries but these are not recognized in a telephone exchange or a gas or electric plant, and now by the rapidly increasing suburban population, brought on by the extension of rapid transit facilities and the enlargement in the use of telephone, light and gas service in the farming communities, we have thrust upon us a condition wherein a utility serving a city in no wise limits the scope of its operation to the borders of such city, and hence arises the problem of divided regulation. Many of the states have not yet provided for the regulation of their utilities other than railroads in their operation within

unincorporated territory. The remaining states either have divided authority or the question of jurisdiction is doubtful. The only state whose scheme of regulation is closely analogous to that prevailing in California is Kansas, and in that state there exists a form of appeal from the city authorities to the public utilities commission, which scheme would be impossible under the constitutional provision obtaining in California under the decisions of our supreme court. New York and Wisconsin both provide for the regulation by the state authorities not only of private corporations operating within cities but also of municipally owned plants.

I do not here question the propriety of a municipality exercising such powers of regulation over utilities operating within such municipality as do not necessarily affect the patrons of such utility without the boundaries of the municipality. If a utility confines its operation entirely to the territory within the corporate limits of a municipality, then such municipality should have the right to control the operation of such utility. While I concede the right I do not now commit myself as to the policy of such action. This is in line with the now generally accepted American doctrine of permitting to localities that degree of self-government which is possible without interfering with the rights of people who do not live within such communities. The design of the federal constitution is to retain in the states all such powers as are necessary to the protection of the rights of the inhabitants of such states when such retention of powers may not interfere with the general welfare of the people of the entire Nation, and only such general powers are conferred by the several states upon the federal government as are necessary to deal with national as distinguished from state problems.

Our original premise was that the city should regulate those things which are peculiar to the city, but should not regulate those things which may, directly or indirectly, affect others who are not of its population. The legal maxim that a man may use that which is his only in such a way as not to injure another, applies, I believe, with equal force to a city in the use of its powers, and I might also say as well to a state and to a nation. Therefore we must be very slow to make up our minds that a city should have the right to regulate the affairs of a utility operating within the city, but likewise serving its commodity to other sections, until it appear that the action of such city cannot work injustice to the other patrons of the utility to be regulated.

Once I thought that the sense of justice which is supposed to be present with all men would prevent a city from regulation which had merely in view the interests of the inhabitants of such municipality, but being more sophisticated now, I no longer hold this view, and here is the reason for my change of mind: Under the certificate of public convenience and

necessity which requires a public utility desiring to enter territory already served by another utility of the same kind, whether such territory be within or without a municipality, to apply for permission so to do, it has been necessary for the railroad commission to investigate the attitude of municipal authorities in this regard. I believe those who have studied utility questions know that rate wars cannot ultimately be of benefit to the patrons of utilities engaged in such strife. Likewise that where a territory is completely served with the utility, that the advent of a second utility of the same kind means duplication of service and hence necessitates a return on an unnecessary amount of property, if rates are to be fixed with relation to the value of the property involved. Bear in mind, that what I say here applies only to territory *completely* and adequately served. Yet in investigations concerning the issuance of a certificate of public convenience and necessity we have found that sometimes the attitude of the city authorities is that they are willing that a second utility should come into their municipality and duplicate service and cut rates below a reasonable scale and recoup itself if any loss be entailed in such city from territory wherein competition does not exist. In fact, we have had this directly admitted by city authorities under oath before us, and this in disregard of the fact that such utility must inevitably make unreasonably high rates elsewhere or drive its competitor out of business in the competitive territory and thereafter recoup itself from the very patrons who have assisted in destroying the weaker competitor. These practices have prevailed in so many sections of the United States and on such large scales, as has been demonstrated again and again, that I had thought that selfish considerations, if none other, would prevent municipal authorities from taking the position we have found some of them to take, but, as I have said, I no longer entertain such belief as to some of the city authorities in this state at least.

Of course, the people of Los Angeles and the city authorities of this magnificent and progressive city would not be either so selfish or so foolish as the city authorities to whom I have referred, but even here we find, if I am correctly informed, that it is urged by some that because of the fact that the people of this city generously and farsightedly went into their pockets to construct the aqueduct and bring water through the mountains for their use and for the use of much of southern California, that by reason of that fact they should have not only the legal but the moral right to charge to the consumers of this water in territory not within the municipality "all the traffic will bear." At the risk of treading upon the toes of some of my very best friends, and impliedly criticising those concerning whose integrity and fairmindedness I have no doubt, I will say, that I believe the city of Los Angeles has neither the legal nor the moral right to do any such thing, and I would further say that, in my

opinion, the attitude in this regard is no better than the attitude of the transportation companies that have been urging as to this city and this state that they have a similar right to charge all the traffic will bear.

The people of Los Angeles should pause and determine just what this doctrine means before they finally adopt it. As naively put by Commissioner Gordon of the railroad commission of this state, in discussing this theory with a traffic man, this doctrine means "beating the competition where it exists and soaking the non-competitive points." This is what it means when applied to railroads. Of course, I assume that its apologists will say that it does not mean the same when applied to Los Angeles. As applied to railroads it means, as a traffic man recently said, the driving of ships from the sea and the neutralization of the competition of the water. By putting in rates at some points that prevent the ships from doing business or securing control of the ships, and thus preventing them from giving the public any advantage from the water highway the railroads have in times past driven the ships from the sea, but the people of the state of California and all other states of the Union have helped to pay the expense of thus driving the ships from the sea.

"All the traffic will bear" means that the necessity of the farmer is the limit of the freight rate: that is, he is charged a rate that will at least usually get his produce to market, for if he is charged a higher rate than this it pays him to let it rot. The same necessity which causes the farmer to pay the high rate in order to move his traffic will cause the irrigator to pay a high rate for his water, particularly after he has once brought his land under irrigation, and must, of necessity, by reason of the character of his crops, have water in succeeding years. The duress which may be resorted to by those in charge of water for public distribution has often been commented upon by the courts in determining the rules for regulating irrigation companies, and the city of Los Angeles would have the same power, if it is permitted to charge all the traffic would bear, that private corporations have.

I understand also that it is urged that the city of Los Angeles by generously expending its money in this extremely laudable undertaking and in bringing water to these thirsty lands, is enhancing the value of these lands, and that the enhancement should go to the city of Los Angeles. The railroads argue before us that they, by building into a territory, have enhanced the value of the lands, and therefore should have higher freight rates. I believe that the people of Los Angeles are entitled to great consideration for having consummated this wonderful enterprise, and that those who jointly share with them the benefits should jointly assume the burden, but I do not believe it is any more justifiable for those who share the benefits with the city of Los Angeles to bear an undue proportion of the burden than it is for the railroad, because its bondholders have paid

in the money for its building, to take the unearned increment in the territory through which it passes.

So far I have only dealt with what might be called the moral aspect of the case. I have gone no further than to say that as to a utility operating within and without a municipality, the authorities of such municipality should not exercise such control over said utility as will permit the imposition of an undue burden upon the outlying territory. It will be necessary, however, before finally determining the advisability of divided regulation to decide in what cases the exercise by a municipality of the power of regulating such utility will put it in a position to burden outlying territory, and as to all other cases, what I have said on the moral side of this matter has no application. Before doing this, however, it will be advisable to discuss any practical difficulties which may be presented by divided regulation, and thus have before us all the factors which go to determine whether or not our divided regulation as it exists in California, is better or worse than state control.

I have heretofore said, that as to utilities whose operation is limited to the confines of a municipality, I see no reason in public policy why the municipalities should not regulate them. I am aware of the fact that very often it is urged that even these utilities should not be regulated by the city because, in the language of the utility, ordinarily it makes the city, an interested party, the judge of its own case. While to a limited degree this may be true, yet all outside regulation, whether state or municipal, is in a measure open to this charge. As members of the public in whose interest primarily regulation exists, and not pecuniarily or otherwise interested in the public utility to be regulated, public officers are to some degree interested parties. Then, too, it is said that city regulation requires the utility to go into city politics. If such be the case, I see no reason why state regulation does not also require the utility to go into state politics.

We, in all of the cities and all the states, have heard much of "cinch" bills and unjust decisions against utilities by public officers. I have had some enlightening experience as a member of the California legislature, and I do not know whether or not this audience will expect me to apologize for having been a member of the legislature, but in California, at least at the present time, it is not dishonorable to be a member of the legislature. While at Sacramento, as a member of a legislature whose majority at least was not antagonistic to the utility interests of this state, I found it invariably the case that the independent legislator always opposed the so-called "cinch" bills which the subservient and owned legislator always introduced. The participation in politics of the public utilities, which they justify as a necessity because they must be protected from the action of dishonest officials, is directly responsible for the election of these dishonest officials.

As with the state so with the city governments. Public utilities can

always get a square deal from honest men to the limit of their knowledge, and the way to get this square deal is not to attempt to elect dishonest men to office who are subservient to the utilities, but to keep out of politics and allow the people to elect their own officers, and then play an open game before the authorities, presenting instead of suppressing evidence, to the end that these honest officials may have sufficient knowledge properly to decide. Therefore I still say, that a public utility, operating entirely within a municipality, quite properly should be regulated by such municipality and that such a method of regulation is directly in accord with the spirit of American institutions. Hence, I limit the doubtful cases to those that involve the regulation by the city authorities of a portion only of the business of public utilities affected.

Ordinarily the limit of a telephone exchange is not the city boundaries, nor does a gas or water corporation limit its activity to one municipality. In the fixing of rates a knowledge of the fair value of the property which is properly attributable to the portion of the rate bearing public for which rates are desired to be made must be known, and likewise the amount of operating and other expenses incident to the furnishing of the utility must be considered. In by far the majority of the cases where a utility does business in two or more municipalities, or in one municipality and outlying unincorporated territory, it is practically impossible to determine the proper value of the property of the utility within the city which is necessary to its service without the city, and the same may be said for the distribution of the operating expenses and revenue. How difficult it is to determine what portion of a telephone line, for example, serving municipal territory and territory without, shall be apportioned to the city and what portion to the unincorporated territory can only be realized by the person who has tried to perform the operation.

Some one may think, superficially, that the division should be in proportion to the number of miles or feet of line within or without the municipality, but such person is overlooking the fact that all of the line within the municipality is necessary for the service without the municipality and the portion of the line outside the municipality is also necessary for all service from points without to points within the municipality. The same may be said for income and operating expenses. The same practical difficulty suggested here is presented by every aspect of regulation where we have divided authority such as exists in this state. The only possibility of arriving at a near approximation of correct results is by taking all, or a sufficiently large portion of a utility business, preferably the former. The exchange apparatus of a telephone company is necessary to its toll business, and vice versa. The city mains of a water company are necessary to its distribution system in any other city in which it may operate. The electrical transmission wires which bring hydro-electric energy from the

mountain sources are just as necessary to the distribution of light and power in Pasadena as in Los Angeles and to the suburban territory of Los Angeles County, as to its smaller municipalities. The maintenance of these power lines and the power houses and the dams is essential to the entire service of the power company.

We have power companies in this state which furnish light and power to scores of municipalities and counties and for the fixing of rates in the smallest of these municipalities it is essential to know exactly the same things about the revenue and expenses of these companies as would be necessary to be known by a rate fixing body which would fix the rates which should exist for all patrons in the territory served. I do not mean to convey the impression that the larger authority would fix a flat rate for the entire territory. What I do mean to say is, that the larger authority would fix the same sliding scale for utilities and make it applicable to the entire district as would be necessary to be fixed by the municipal council and that the larger authority could much more easily secure the data necessary to be considered by it than could the municipal authority, because this latter authority would have to secure the information necessary to the former and make the segregations and apportionments which are not necessary when the entire business and the entire rates are in contemplation.

Therefore, as to utilities operating other than entirely within one city, divided authority means duplication of work as many times over as the authority is divided and from an economical and practicable aspect it is a waste of governmental machinery to use a half hundred agencies in doing that which can better be done by one. All of you know the many difficulties that are presented to a city council in fixing rates and regulating service. Inadequate apparatus and the proneness of cities to expect their officers to serve for inadequate or no salaries makes it practically impossible for them to determine the facts, and this condition is ideal for fostering litigation. Nothing is so desirable from the standpoint of a utility which desires to defeat regulation than a condition which prevents the local authorities from securing adequate information and likewise permits the tying up a dozen city ordinances where state regulation would only present for attack one order for the same territory and an order which in the very nature of things would be fortified by a much more thorough investigation than can possibly be made by unpaid city authorities with inadequate funds for investigating purposes.

Nowadays it has become the custom of public utilities to clamor for state regulation and this has caused many people to be suspicious of such regulation. I believe such an attitude on the part of the public utility is a hopeful one. No one who has followed political development in the United States, in national, state and city governments, which has been

going on in the last decade can fail to see that the people of this country have decided that the government is greater than the great corporations: that the creator is greater than its creature, and the wise utility manager confronting the pent-up wrath of the public which has been so long in the forming and which is directly due to the iniquities that have been worked upon the public by utilities in the past, sees that for him and for his institution, regulation or a worse fate is in store and he flies to regulation as his only salvation.

No longer may the public utility, connected through the boss with the underworld, control the destiny of any city of the United States for any appreciable time. No longer may the great railroad enterprises, holding together the bosses in the various cities, control the states, and the utility enterprises and the other great corporate interests realizing, as I have said, that regulation for them is the only escape from the further anger of the public and possibly final confiscation, or at least extensive reprisals, and facing clear decisions of the supreme court of the United States which strengthen the arm of the public authorities against them, are now proposing to accept regulation and accepting it, they are desirous that it may be as efficient as it may possibly be. Consequently they view with more approval one tribunal, amply equipped, that shall deal effectively and expeditiously with the problems presented to it than the annoyance of scores of city councils each, as I have said, poorly equipped, to attack these larger problems.

Of course, in the larger cities, like San Francisco and Los Angeles, there could and should be adequate funds provided and reasonable salaries for those engaged in this work and the rapidly increasing number of municipally owned plants will make necessary the training of experts and the expenditure of money in this direction. I am firmly convinced, however, in the absence of municipal ownership of utilities and utilities operating as they now do in more than one city, or in city and country territory, that from a practical standpoint the state and not the city should deal with them.

Referring again to the moral aspect of the question, even a superficial view will show that the city which regulates but a part of a utility has it in its power so to act as to affect other territory. Under similar circumstances the rate in a city should be the same as the rate without the city or the rate in one city should be the same as the rate in another and the standard of efficiency should likewise be the same. Therefore in every instance where a city authority fixes rates without adequately considering the entire business of the utility on the hit or miss plan which has heretofore been an absolute necessity in most cities by reason of the facts to which I have already referred, such city may, and often does, by chance fix a rate which is not just to the outlying territory and which will yield

an amount less than should be yielded for the service, thereby decreasing the revenue of the utility and this decrease will affect the entire revenue and when the larger authority considers the business of the utility operating within this city for rate fixing purposes, in outside territory, it will be presented with a revenue which will be less than it should be by reason of the too low rate within the city and thereby if it is just to the utility it must fix a rate which is on the average too high for the outlying territory. Thus the very inability of the municipality adequately to determine the questions of rates and service in many cases works an injustice to other consumers of the utility, and until these cities are prepared to deal with this question as its importance demands, they should not in justice desire to deal with it at all.

The careless attitude of the cities, particularly the smaller, and I have urged that some of the larger ones are sometimes likewise careless, necessitates in many instances either an injustice to consumers outside the cities or upon the utilities themselves, and when we consider also the attitude of the city authorities, very few in number I am glad to say, who believe that their city should get all it can out of a utility, even at the expense of other consumers, we have plainly presented to us a moral reason in addition to the very cogent practical reason against dual regulation.

I hope I have not been unduly critical in this paper, as it has not been my desire so to be. I have presented to you the practical difficulties of the system under which we are now operating and I am firmly convinced that my attitude is the correct one. Just as I believe from a practical standpoint that a utility operating within a city and without the same should not be subject to the jurisdiction of the city, so I am convinced that a railroad operating in more than one state should be subject entirely to regulation by federal authorities and not to the state authorities. In saying this, however, I do not desire to lend aid to the scheme which is now being actively urged upon the courts by the attorneys for the railroads whereby the state shall be divested of authority and no power added to the federal authorities. The so-called Sanborn decision of the circuit court of the United States, rendered at St. Paul in *Shepard vs. Northern Pacific*, does not in my opinion add one vestige of power to the interstate commerce commission, while if it should be sustained by the supreme court of the United States, would very largely interfere with the power of the states to regulate the state business of carriers.

Until we confer all power over railroads upon the federal government, of course the states must continue their authority as to state business. I make mention of this now in passing to show that I believe in the universal application of the doctrine which I have here enunciated with reference to city regulation of utilities. I am free to say, however that when the business of a railroad is largely within one state, fewer practical difficulties

are presented to the state authorities engaged in regulating it, and the same condition exists when the percentage of the business of a utility within a city is high.

We are all interested in good government for the city and the state and the nation, and it is only by a careful, conscientious study of these great questions involved in the regulation of public utilities that we can properly solve them, and I congratulate this body for the magnificent work which it has performed in the many cities in this nation and for the large part which it has heretofore played in bringing to the people of the municipalities that government which they should have, and I have no doubt that in the future your active participation in the problems of the cities, both as they affect the city and the state, will lead to still larger results.

STATE VS. MUNICIPAL REGULATION OF PUBLIC UTILITIES

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THE question of the control and regulation of public utilities has often, perhaps usually, been treated as if the two possible systems of intrastate control are at warfare with each other. Sharp lines of contest are drawn between state regulation and city regulation. The subject on which Mr. Eshleman and I are privileged to address you today is designated on the program, "State versus Municipal Regulation of Public Utilities." The potent Latin word in the title indicates that, on this question, the state and the city are as far apart as are two individuals who find nothing in common, upon some particular question, and consequently confide the solution of it to the mercies of a power outside themselves.

I am unable to assume a controversial attitude upon the subject, at least, in anything like its entirety. I am unable to subscribe myself as counsel for either the plaintiff or the defendant. It is the duty of every citizen to contribute his energies and talents to the solution of the public utility problem and he discharges the duty only when he does his utmost toward maintaining, in an effective and flourishing condition, both state and municipal machinery for the performance of the gigantic task.

As one lately connected with city regulation, I must contend that there are certain features of the work which can best be handled by municipal agencies; but I hasten, notwithstanding my recent alliance with such agencies, to declare with equal positiveness, that certain other features can be successfully dealt with only by the state.

If we would consider the subject in a logical manner, we first must pay a due regard to certain general ideas arising from the diversified conditions existing within a group of forty-eight states, each sovereign, within its own boundaries, upon the question under review. For our purpose, it is sufficient to consider this phase of the subject in a double aspect. We may pay regard to the state, generically speaking:

1. As to its density of population.
2. As to the degree of autonomy allowed to its cities.

First, then: The extent of the concentration of control necessarily varies with the degree in which the population of a state is unified by dependence upon utility servers which, each in its own line of endeavor, have covered large portions of the state with the instrumentalities through which they

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administer the trust confided to them. When a state is densely populated, with cities near each other, and especially if it be a small state, there is a temptation for utility corporations of at least some kinds, to extend their lines, plants or systems throughout the commonwealth, thus making their operations a matter of state, instead of local, concern. In states in which the population is sparse, with the consequent unsettled or comparatively unsettled territory between cities, with cities far apart, the temptation does not exist. The utility servers there are limited, territorially, in their operation. They are confined, largely, to the towns and their environs and are many, instead of being few in number and networking the state with their systems. Therefore, considering the question of density of population *alone*, it seems just to formulate the following laws, if we may so dignify them, bearing upon the efficacy of state, as compared with municipal, control:

First, the desirability of state control over municipal control is to some extent enhanced by the presence of a dense population.

Second, the desirability of municipal control over state control is to some extent enhanced by the existence of a scattered population.

The second viewpoint above mentioned has to do with the state as to the degree of autonomy allowed its cities. Most of the cities of the Union are governed, with greater or less degrees of severity, under state legislation. I have no doubt that the majority of my hearers from abroad will testify sorrowfully to the fact. It may not be charitable, nor hospitable, to twit them with their misfortune, but I can not resist the assertion that we of California view them somewhat as we have been taught to view the so-called barbarian dependencies of imperial Rome or the uitlanders of the Transvaal.

Speaking with more exactness, and more seriously, I may instance this state as one of the few within which prevail what is surely a more just and a happier condition of affairs. We are proud to assert that California has done at least as much as any state in the Union, to make the citizen feel, to employ the stately phrase of Isaiah, that "the government shall be upon his shoulder." This is true, and for years has been true, concerning the government of her cities. City charters are made, by the constitution, supreme over enactments of the legislature in all that pertains to "municipal affairs," to adopt the words of the organic law itself. It is true that charters and charter amendments must be ratified by the legislature before they become operative, but the ratification is never refused. The asking it is purely perfunctory and I know of but a single voice ever having been raised, in a legislature of 120 members, against such a request. That instance was as far back as 1899, when Grove L. Johnson, the father of our present excellent governor, voted, on constitutional grounds, against the charter of San Francisco.

This statement serves to show to what an extent the cities of California govern themselves. It is no exaggeration to say that Los Angeles is as free from state interference in "municipal affairs" as California itself is free from national interference in state affairs. The statement is perfectly true.

It is a recognized fact that the control of public utilities is a proper function of government. Therefore, it is just to assert, that control should rest, all other things being equal, where the power of government rests. When states govern their cities, a greater ability to control utilities may be expected to rest in the state; but where cities govern themselves, we should successfully look for the ability and strength, in the city, to control at least the utilities which are local to it, or nearly so. We may, then, pause again to announce a pair of principles calculated to cast some light upon the question before us.

First, the possibility of a proper state control is somewhat heightened in those states in which cities are not autonomous.

Second, the possibility of a proper city control is somewhat heightened in those states in which cities are autonomous.

Having taken a general view of the subject from the standpoints of the density of population in a state and the degree of autonomy allowed to its cities, we may now consider it in another manner. Depending somewhat upon what has been said concerning density of population, a certain division of the entire subject may be suggested. It is proper to inquire, what is the best instrumentality for the control of:

1. Utilities operated throughout a state or in considerable portions of it, but partially in cities and towns?
2. Utilities operated outside of incorporated cities and towns, whatever their territorial sphere of operation.
3. Utilities operated wholly within small incorporated cities or towns?
4. Utilities operated wholly, or nearly so, within large cities?

Before taking up these four questions, it is proper to say that their consideration will proceed upon what may be called a California premise. Having drawn a distinction between states which allow their cities a full measure of self-government and those which do not, it seems necessary, in the interests of both brevity and clarity, to base all further discussion upon the assumption of the existence of conditions such as we have here. That side is taken as the point of vantage, to the exclusion of the other, for two reasons. The first is that the writer may stand more securely upon such a foundation, because the footing is familiar to him. The other, and much the stronger, is this: The California method for the government of cities is, unless the writer's patriotism and understanding have led him far astray, the proper one and the one to which all the states must eventually come. If I speak, then, in terms of Cali-

fornia, you may think, after making the necessary additions and subtractions, in terms of commonwealths the affairs of whose cities are ordered in a different fashion.

In considering the first of the four questions just set forth and, in fact, all questions involving the exercise of governmental functions, economy, both of effort and of money, is to be at all times regarded as the helpful handmaid of efficiency. Very largely upon this consideration alone, it is clear that a utility which operates throughout a state or throughout a large part of it, and which invades the domain of a considerable number of cities, can best be controlled by a state board. Such a utility must be said to occupy a general, and not a local field, and therefore to require the attention of instrumentalities the powers and grasp of which are co-extensive with its own. If the plant, system or business of a utility corporation operating in a large number of cities were to be cut up, for regulatory purposes, into the bits requiring attention from each, under local control, the process would tend to remind one of the assault of the Lilliputians upon the sleeping Gulliver. Swift assures us that the attack was successful, but the result was achieved only at the expense of great concerted effort.

The second question has to do with all utilities operated outside incorporated cities and towns. No time need be expended in answering it. Of necessity, state control must be exercised in such cases.

We next consider the systems or plants operated within small cities and towns, and here we enter the realm of doubt, chiefly because the term "small cities and towns" covers so wide a range as to lack precision. It is not worth while to attempt to make it more precise. The effort would involve a separate treatment of municipalities of every possible size, from the least to those of from, say, 50,000 to 75,000 in population. It seems clear that utility properties in the smallest of these cities can best be handled by the state. The questions of principle involved in controlling a small utility concern are as big as in the case of the largest one. In a small town usually there will not be present the ability nor the money, the willing money, if I may use the term, necessary to handle the question. Further, and above all, in such places fairness is likely to be tainted by local pettiness, with more or less glaring injustice as the deplorable result. Upward from these diminutive municipalities, it is difficult to say how far the state method of treatment should go. It seems necessary that the line should be drawn somewhere within the class now under consideration and which have been characterized as "small cities and towns," for, except in the case of local conditions affecting some particular utility in some particular place, the largest of the small cities can and should deal with the utility problems local to themselves. The solution of this branch of the question, however, naturally depends upon what

is to be said about the large city and its relation, under the grouping we are now considering, to the general subject.

We come then, fourthly, to deal with the question of the control of utilities operated wholly, or nearly entirely, within large cities.

It would not be just to enter upon this branch of the subject without considering, in addition to what has been said about the justice of the grant of autonomy to municipalities, what may be termed the city problem. The general question of city government and management has been the riddle of the ages. The mere mention of Babylon, Nineveh, Tyre, Sidon, Athens, Sparta, Jerusalem, Rome, Carthage, Alexandria, Constantinople, Venice, Genoa, the other free Italian cities of the middle ages, the five towns of the cinque ports and the towns of the Hanseatic League, is enough to impress this fact on the mind of even the tyro in historical research. The student of present-day affairs can perceive no modification of the rule. Even in this country, a babe among the nations, with thousands of acres of open country, the census of 1910 showed the steady march of the multitude cityward. In some of the middle western states the rural districts showed an actual loss of population, while the cities grew enough to balance the loss in the country and, in addition, to show a substantial net gain for the state. We are prone to regard such phenomena as abnormal, to feel that the current of history has changed but such is not the case. Man is a gregarious animal and the city has ever been the haven of his desire and the goal of his ambition. The attainment of that goal by the individual does not, unfortunately, seem to work a betterment of the race. While man is content, in the pursuit of his destiny, to tread the highways and byways of the open country, to breathe God's free air, to "list to nature's teaching," he seems, in a measure, to live the life that such a contact might be expected to inspire; but when he becomes a denizen of the metropolis, with the sordid evils of the slum on the one hand and the profligacy and licentiousness of the idle rich on the other, with the myriad dangers and pitfalls between, he becomes, certainly, "a *little* lower than the angels," and adds his individual mite to the gigantic problem of the city, which "was and is and shall be."

Considerations like these have made the city a separate governmental entity within the nation, *imperium in imperio*. Little wonder we are seeing that cities must govern themselves. They have tasks set before them which no power outside themselves can perform. At a gathering in this city not many months ago, a prominent speaker made the assertion, "As the city is, so will the nation be," and the statement is as true as it is striking. The cities of every country are answerable for its future.

The realization of the existence of the city problem is what has brought you among us and what is making true lovers of humanity see a greater

work before them as mayors of Chicago and Los Angeles than as governors of Illinois and California; and patriotism is, every day in an increasing degree, bringing noble manhood to the task.

It is the duty of every city to handle the city problem, to carry on the independent government which of right, not to itself alone, but to the nation and to humanity, it is its duty to administer. The government must be a forceful and a resourceful government. The government of a state is, under ordinary circumstances, a government of routine, while the pulsations of the great throbbing heart of the city, quickly responsive to the nervous movement of its every member, require the exercise of constant vigilance and energy. The big city, always meeting such crises, has within it the wherewithal to handle its problems and handle them better than any other power.

A part of the city problem is the control of the public utilities which are connected with its life, and, even more intimately, with the lives of its people. Such utilities are not merely those whose entire properties are embraced within the corporate limits of the city. The fact that a public utility corporation conveys light, or water, or power for many miles before it reaches the boundaries of a given city, should not free that corporation from the control of the city as to its operations and business within the city, granted that the principal business, or the greater portion of the business, of the corporation is to serve the people of the city. If a corporation serves a large city and incidentally attends to the needs of surrounding smaller towns, the controlling power of the city, within its own limits, should not be relinquished, whether the control, in the surrounding towns, be exercised by means of their own machinery or through state instrumentalities. It is only where a utility concern has so extended its field as to become practically state-wide in its operations, as we have said above, that the jurisdiction over it, locally, of a large city within the territory served by it, should be relinquished. A California city is, as to its city problems, as free from the domination of the state, as Connecticut, as to its affairs, is free from the domination of Massachusetts. Could it be contended that a Connecticut state commission could not, or that it should not, exercise control over utility corporations serving its people, merely because such corporations carry their products across the boundary between the states, whether in pipes or upon wires, and supply Connecticut with water or light from Massachusetts?

The presumption should be that every independent government, whether city or state, has the power and ability and is confronted with the solemn duty of dealing with and solving, to the ultimate analysis, all questions that spring from its being as the governmental entity presiding over the destinies of the territory committed to its peculiar care. It must either

govern or not govern, It must either shoot or give up the gun. As to a city, the line can not be drawn at any point between its duty to dispose of its garbage and its duty to control its local lighting companies.

In the discharge of the duties of state and municipal boards, a constant overlapping of jurisdiction will necessarily result. That fact indicates the desirability of a constant interchange of data between the two systems, except where the public service might demand, usually temporarily, that information be withheld. Each state board should not only keep, in systematic and ready reference form, what may be termed a library of the data and information gathered as a result of its researches; but the law, and practice not forbidden by law, should afford every facility for the dissemination, among all city boards, of all portions of such data and information pertinent or convenient to the handling of the city problems. The city boards should, by the same means, afford similar aid to state boards.

It is natural for all officers, boards and courts to attempt to extend their respective powers and jurisdictions, and it is well that it is so. The exercise of that intensely human trait, carried by men into official life, conduces to the reduction to proper control of all subjects of governmental or official action. In the constant struggle to maintain in their proper places the lines of demarcation between spheres of official control, jealousies are likely to result. It is plain that such a condition is possible in all commonwealths in which the question of state or municipal control of utilities is being considered, and earnest efforts should be made to avoid it. Both systems are entirely necessary to the well-being of the people and each can be made of invaluable assistance to the other.

The question of the control of public service corporations is of surpassing importance today, and it will be so until wisdom shall determine to what extent public utilities should pass under public ownership and the acquisition shall be accomplished. The question may even be of importance after the feasible degree of public ownership shall have been attained, for reason may finally demonstrate that great and powerful utilities had best remain in private ownership. We are far from the solution of the question and time alone will furnish the answer. No patriotism is so lofty, no ability so great, but that it may be justly consecrated, in the meanwhile, to the performance of the task that is set before us.

A SUGGESTED SLIDING SCALE OF DIVIDENDS FOR STREET RAILWAYS, DETERMINED BY QUALITY OF SERVICE

BY JAMES W. S. PETERS, ESQ.¹

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IN FRAMING franchise contracts the problem is to enlist a motive to economy and efficiency in the operation of public utilities by private corporations without introducing the speculative element into public utility investments, and without relaxing public control. In other words, to combine the advantages of public operation with the benefits of adequate public control.

It is probably true that public utility commissions, while recognizing the fact that capital investment is entitled to a reasonable return, do not lay enough stress on the necessity of giving the operating company an incentive to thrift, efficiency and economy in management.

The ideal regulation should, at the same time, secure the best possible service for the public and be eminently fair, and even a little liberal, to capital investment and the management operating the utility. The question of low rates is not so much the demand of the day, as is good service. It is economic waste for car-riders to stand and be subjected to nerve racking inconvenience in going to and from their daily tasks, if this can be avoided and seats provided at a fraction of a cent additional cost, per day, to the car rider.

The private motive of street railway companies should be subdued; not killed.

Dr. Delos F. Wilcox says of regulation by commissions:

It is an effort to coerce an antagonistic motive and compel private corporations to operate public utilities, as if the companies were not controlled by private motives. It is a final effort to avoid the uncertainties and possible laxity in administration of public ownership, without losing the incentive and skill of private enterprise. This is a very ticklish business—this problem of subduing private motive, without killing it. A man would be a hardy optimist to be willing, in the light of present knowledge, to predict certain success of the plan of regulation by commission.

Floy, in his work on "Valuation of Public Utility Properties," also emphasizes the necessity of recognizing incentive and skill. He says:

¹ Mr. Peters was until this spring president of the City Club of Kansas City and a member of the civil service commission. He and Dr. Wilcox are members of the franchise committee of the National Municipal League, of which Robert Treat Paine has been chairman.

"An examination of the rulings of state commissions shows a tendency to place all corporations on the same footing as regards returns to investors; that is, regardless whether capital has been invested and conserved in a judicious and intelligent manner, or in an inefficient way; the precedents established indicate that about the same profit will be allowed in either case. Such procedure of course does away with all incentive to improve the earnings by cutting down expenses or to decrease the price or introduce new apparatus or modern methods. It removes the stimulus heretofore existing with the individual to make the very best showing possible and hence is a reasonable, valid and practical objection to control by commissions."

The utility commissions themselves recognize that thrift and economy of management has a money value. The Public Service Commission for the First District of New York, in a pamphlet on "Uniform System of Accounts" corroborates the necessity of recognizing and rewarding quality of service.

It is not the purpose of public regulation by reducing rates to take from a corporation all the proceeds of enterprise and thrift that it may earn beyond a reasonable dividend. If a thrifty and intelligent corporation can, at a smaller expense to itself, supply a better public service than a careless and incompetent corporation, the former should not be compelled to charge the public less than the latter. To do so is to discourage progress and economy.

There is something on the order of a sliding scale in Cleveland in the automatic readjustment of fares as determined by the increase or decrease of the net income. In Boston's so-called sliding scale for gas contracts the dividends that are payable to capital investment are permitted to become higher as the price of a unit of gas is made lower to the consumer.

Mr. Louis D. Brandeis has summed up the beneficial results of this lowering of prices and reward of good management, as follows:

"Boston has received from the sliding scale system far more than cheaper gas and higher security values. It has been proved that a public service corporation may be managed with political honesty and yet successfully and that its head may become a valuable public servant. The officers and employees of the gas company now devote themselves strictly to the business of making and distributing gas, instead of dissipating their abilities as heretofore in lobbying and political intrigue. As a result, gas properties, which throughout the greater part of twenty years had been the subject of financial and political scandals, developing ultimately bitter hostility on the part of the people, are now conducted in a manner so honorable as to deserve and secure the highest commendation."

What is suggested in this paper is a somewhat different, but in some respects a similar idea. It is to slide the rate of return to capital investment in accordance with the merit of the service rendered.

In order to reward service rendered by street railways, according to quality, it is necessary to find out what service really is and then to definitely and with precision grade or scale this service and reward it. Eventually some practical way must be found to do this. It is a logical necessity in the treatment of utilities, so long as these remain in the hands of private ownership and management.

The suggestion the writer makes is to have the mayors, or the commissioners of commission ruled cities each year appoint three citizens of repute, who shall during the year following classify to their satisfaction the elements constituting service and determine the relative value, in percentages, of these essential elements. At the end of the year, these three commissioners shall appoint for each of the at least five logical subdivisions of service analyzed and classified by them, three other reputable citizens, especially expert in those subdivisions to grade for the year preceding, the character of service received during that period; the subdivisions of what constitutes service into subjects and the grading of the subjects to be arrived at in a way similar to the method pursued by civil service commissions in determining the relative merits of applicants for technical positions of the city service. In Kansas City the civil service board has for the past two years filled practically all city positions, even such technical ones as city engineer, superintendent of the water works and municipal librarian, by using for each examination a committee of three citizen experts, to assist in formulating the examinations and to grade the relative merits of the applicants under the direction of the civil service board. This system has worked with widely recognized beneficial results.

After the classification of service and the grading of such service in percentages the suggestion for consideration is to permit an increase of, or deduction from, the fixed percentage allowed in the franchise to capital investment according as service is found in the grading to be above or below a standard or quality of service described as "fair and reasonable."

In civil service examinations 70 per cent is the grade usually agreed upon which an applicant must obtain to reach the eligible list. Having exactly 70 per cent means that he is just sufficiently well qualified to fill the position. Above this his excellence is graded; below this the percentage describes, in percentages, his unfitness. Following this precedent, is suggested grading service of street railways and the elements constituting such service as follows: 60, meaning "poor," 70, "fair and reasonable;" 80, "good;" 90, "excellent," and 100, "perfect."

If we agree that 6 per cent on capital investment is a fair and reasonable return for the interest upon capital and the hazard of the enterprise and are willing to add a margin up to 25 per cent additional to this amount to insure "perfect" quality (which however will never in practice be attained) then we can agree that a standard of 60 per cent will be entitled to 5½ per

cent return on capital investment; 70 to 6 per cent; 80 to $6\frac{1}{2}$ per cent; 90 to 7 per cent, and 100 to $7\frac{1}{2}$ per cent. If in any particular instance those drafting a franchise are of opinion that this margin is too great or too small, it can be readjusted and the figures modified accordingly.

When the end of the fiscal year comes and the several citizen commissions of three each have been duly appointed to grade the several parts or subjects of service committed to them by the original or supervisory committee of three citizens, each commission shall proceed to grade the part committed to it, by such tests as in its discretion it deems appropriate, subject to general supervision of the original commission of three and when it has agreed to a grade of its portion, shall transmit this grade to the original commission. This commission shall then by checking up and adding the various percentages arrive at a final percentage which will be the grade upon which to figure the reward for service.

As a tentative subdivision of service into five parts and their relative weights; for each of which a sub-committee may act, it is suggested:

1. Operation and management; value 40 per cent. In this case the three citizens selected should be expert in railway operation and management.

2. Maintenance of plant against depreciation and obsolescence; value 20 per cent. This subdivision is essentially an engineering task and involves an inspection and inventory and practically the valuation of the plant. It is desirable that at least two of the citizens selected for this sub-committee should be expert engineers, especially qualified by experience in street railway construction and management and having at hand data in reference to the depreciation and obsolescence.

3. Economy and efficiency of management; value, 15 per cent. The three citizens selected for this subdivision should two of them be business men of high calibre, accustomed to the handling of large affairs, the other member should be familiar with accounts and legal procedure.

4. Safety and comfort of the traveling public and of the citizens; value, 15 per cent. As this subdivision is largely a matter upon which the riding public and the citizens have peculiar rights to individual opinions, the committee of three selected for this subdivision should be average citizens, in whose fair dealing and common sense, both the corporation and the public have confidence.

5. Accuracy and publicity of accounts and system in preserving the funds intact; value, 10 per cent. This subdivision is a matter for experts in accounting. At least two of the three commissioners for this subdivision should therefore, be familiar with accounts and auditing systems, the other member should be a well known responsible citizen, accustomed to handling large affairs in a practical way.

In order to show how the various subdivisions suggested above can be practically divided into their simple component elements and those weighted relative to each other, there is attached hereto a tentative classification and analysis marked exhibit "A."

There should be given to the several sub-committees of examiners large discretion in determining the methods and details of arriving at a fair and accurate estimate and they should have access to all records kept by any existing public utility commission or other board having charge of the street railways and also to the company's books, accounts, records, maps and plans and all other documents.

The public utility commission should collect during the year and put at the disposal of these special commissioners data collected from efficiency and complaint records kept by them. Any citizen desiring so to do should be permitted to register a complaint and file statements and be heard in reference to any matter pertaining to service before either the original committee of three or before any of the sub-committees of examiners subsequently appointed. The original committee of three and the sub-committees of examiners should hold sessions open to the public and the press and should print and publish their proceedings, showing among other things the definite rating of each of the ultimate elements constituting service. Such publicity will tend to insure fairness and accuracy.

When a final grade is arrived at and used as the basis upon which to figure the amount of reward to the capital investment, it is a question whether this bonus should go entirely to an increase of the percentage allowed on capital investment or should be shared with the employees of the managing corporation, who in reality are the persons accomplishing the good results. If all bonus goes to the increasing of the rate of returns of capital investment, there will be danger of a speculative element entering in by the probable increase of dividends being capitalized and eventually added as a burden to fixed charges; on the other hand, if paid to the employees, the amount allowed as bonus is liable to be deducted by the corporation from salaries and wages paid by it, just as hotel proprietors decrease the salaries and wages of their porters and waiters, exploiting for their own advantage the liberality of the public in tips. The best plan undoubtedly is to see to it that the increase in returns derived by reason of excellence of service be equitably divided between the capital investment and employees—the employees to receive say two-fifths of the whole, the other three-fifths to be added to the fixed return on capital investment. The amount received by the employees should be pro-rated among them at the end of the fiscal year, from the president and general superintendent down to the day laborer, in proportion to the amount of salary or wages received by each during the year in question.

In determining upon a tribunal to analyze, classify, give relative weight to, and grade the elements of service, it was the first intention of the writer to specify existing utility commissions as being, by experience, best qualified for the task; but after consideration, the decision arrived at was to use instead citizens as examining boards, as the object to be attained is the

satisfaction of the citizens. In addition to this the determination of quality of service on behalf of the public not only amounts to a passing upon the service rendered by the managing corporation, but also to passing judgment upon the general effectiveness and quality of the regulation by the utility commission, whose business and function it is to insist upon service from the corporation.

As the mayor is elected and the commissioners under the commission form of government are selected by the voters for many additional and other purposes than the selection of these examining commissioners, and as they represent, not only the rest of the public, but also as far as its influence goes, the street railway company, and as the modern idea is to concentrate responsibility in these officials elected by the people and hold them responsible for their acts, it would seem that the mayor or the commissioners of commissioned-ruled cities are the proper persons to appoint these examining boards. Where, however, so much power and discretion is more and more being concentrated on the mayors of cities and the commissioners of commissioned-ruled cities, there is all the more need for the people to have the right of recall of these officials when they fail in the performance of their duties.

To go back to the details of this problem, if 60 per cent means "poor" as the quality of each of the elements; 70 per cent "fair and reasonable;" 80 per cent "good;" 90 per cent, "excellent;" and 100 per cent, "perfect;" it is evident that when the several weighted elements are separately graded and a total of these percentages computed, there will be arrived at a fairly accurate general average of the total service. For example: if the final percentage of service be $82\frac{1}{2}$ per cent, this would be $12\frac{1}{2}$ per cent better than 70 per cent, which is "fair and reasonable." Now, if we take for granted, that "fair and reasonable" service estimated at 70 per cent is worth 6 per cent return on capital and that perfect or 100 per cent service is worth $7\frac{1}{2}$ per cent returns, this $12\frac{1}{2}$ per cent above "fair and reasonable" would amount to a bonus of five-eighths of 1 per cent on capital investment. Using these figures in the case of a plant where the capital investment aggregates \$30,000,000, this would amount to a bonus of \$187,500; two-fifths to go to employees and the other three-fifths to an increase of the return on capital investment. This in dollars and cents would be \$75,000 to pro-rate and distribute among the company's employees and \$112,500 for increase on the return to capital investment. The possibility of such a result would undoubtedly be an incentive to skill, initiative economy, politeness and thrift in service and management, and in the case supposed, would be an additional tax of approximately only one-seventh of 1 cent on every 5-cent fare paid, or proportionately less, on a lower rate of fare.

It is not desired to make these suggestions as the final or only solution of the franchise problem or to take an antagonistic stand against the Chi-

cago plan, where there is a partnership in the net income between the city and the corporation, after the corporation has received a fixed amount on its capital investment. This certainly insures in large measure supervision and control on the part of the city and gives incentive to thrift, economy and skill on the part of the management. Neither is the Cleveland plan opposed, where capital investment receives a fixed return and no more, the surplus being used to reduce the fare for there the right of control and regulation to protect the city is definitely provided for in a street railway commission. The idea herein presented for consideration, might be used in modification of either of these undoubtedly meritorious and up-to-date contracts.

If this paper does nothing more than emphasize the fact that future franchises for street railways should give something in the way of incentive for economy and thrift in service additional to the mere interest return on capital and compensation incurred by capital for hazards risked, there will have been accomplished something toward a satisfactory solution of the street railway franchise problem.

EXHIBIT "A"

<i>A. Service in management and operation; value, 40 per cent.</i>	
Up to date equipment.....	100
Extensions.....	100
Transfer regulations.....	25
Shelter stations.....	25
Running of cars.....	75
Speed of cars.....	100
Ventilation of cars.....	50
Lighting of cars.....	50
Seats.....	100
Frequency.....	100
Courtesy of employees to public.....	100
<i>B. Service in maintenance of plant against obsolescence and depreciation; value, 20 per cent.</i>	
Repair of tracks.....	75
Repair of cars.....	100
Repair of overhead equipment.....	50
Repair of power plants.....	100
Repair of car barns and other buildings.....	50
Repair of tools.....	25
Insurance premiums.....	20
<i>C. Service as to economy and efficiency; value, 15 per cent.</i>	
Economy on purchase of supplies.....	100
Economy on use of supplies.....	100
Economy on schools of conductors and motormen.....	50
Economy on control.....	75
Economy on supervision, administration, etc.....	100
——relative to employees.....	25

<i>C. Service as to economy and efficiency; value, 15 per cent—Continued.</i>	
—to present accounts.....	75
Settlement of damage claims (?).....	50
Interest on balances.....	50
<i>D. Service in safety and comfort of general passengers; value, 15 per cent.</i>	
Noise.....	50
Dust.....	50
Ventilation.....	50
Repair of <i>pavement</i>	100
Distance between tracks.....	25
Fenders and wheel guards.....	100
Location of tracks as to curb.....	25
Watchman at crossings.....	75
Head lights.....	25
Relocation of tracks—for comfort of street traffic	25
Gongs.....	25
Cars passing each other.....	20
Smoke from power house.....	20
Treatment of persons injured.....	75
<i>E. Service in accounting and preservation of funds; value, 10 per cent.</i>	
Public reports.....	100
Segregation of accounts.....	75
Integrity of funds.....	50
Preservation of records.....	25
Simplicity of bookkeeping.....	50
Integrity of capital account.....	100
Traffic statistics	100
Distribution of labor accounts and overhead charges.....	75
Car value costs.....	100

BUREAUS OF PUBLIC EFFICIENCY

A STUDY OF THE PURPOSE AND METHODS OF ORGANIZATION

BY MYRTILE CERF¹

Madison, Wis.

ORGANIZATIONS for the purpose of studying the needs of a city and as an aid to efficient government have now been formed in a large number of cities, and are under consideration in other cities including San Francisco, Berkeley, Los Angeles, Oakland, Portland, Omaha, Pittsburgh, St. Paul and Norfolk.

In these cities where bureaus have been formed the work is being conducted either through:

1. An organization financed by individuals and seeking to effect remedies and working from without the administration as typified by the New York bureau of municipal research.

2. An organization created by the administration and financed by the city as typified by the Milwaukee bureau of economy and efficiency.

3. A development of the activities of one department of a municipality in the direction of control of all others, as typified by the Chicago civil service commission.

4. A development of the activities of one department of municipality in the direction of financial control only, as typified by the comptroller's office, St. Louis, and the New York commissioner of accounts.

Substantial success has been had under each plan of organization, but the work is almost too new to determine which plan will ultimately prove the most successful. In view, however, of the increasing interest in work of this nature, it may be of value to set out the advantages and disadvantages of each form of organization as they have so far been discovered. Before doing this, however, it may be well to study certain points that must be thoroughly weighed and considered before a bureau is decided upon, for the effect that they have on the plan of organization. It must be decided: (1) Is a bureau needed? (2) What shall be the purpose and scope of its work? (3) Shall it be temporary or permanent?

1. The fact that the government of our American cities is not what it should be is recognized by all. There is almost universally a lack of proper

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organization of the work, lack of proper records, and a failure to recognize the scope of the city's functions. The causes of this are many—election of men to administrative positions who are untrained in the problems they are called upon to handle, short terms of office and low salaries, by reason of which skilled men refuse to accept municipal employment; improperly drawn laws; lack of standards by which to measure efficiency; lack of coöperation between the several departments of the government; misdirected effort; inadequate facilities for doing the work; duplication of work, etc.

The short ballot, with appointments rather than election to the purely administrative offices; increase of salaries and permanency of term of office through proper civil service control and care in the framing of the laws will do much toward correcting certain of these conditions. But it will not correct fundamental errors in the organization or the planning of the activities of the several departments; it will not safeguard against duplication of work or of misdirected effort; it will not coördinate the work of the various departments; it will not set standards of efficiency; it will not set out in understandable form the facts of administration so that the public can properly judge results; it will not call to the attention of the proper authorities failure of administration of any department nor will it serve to point out the possibilities of enlargement of the scope of a department's work where such department has failed to recognize its full duties.

How, then, are these things to be cared for? It must be remembered that our American cities have grown so fast in the last decade that it has seldom been possible to plan methods of caring for conditions before they have arisen. Villages have grown into towns and towns have grown to be cities, with all the complexities of most cities, almost overnight, and conditions have been met by expediency measures. Then, too, many cities have been hampered by the fact that they have had no home rule. The result has been that each succeeding administration tried to take care of the conditions immediately confronting it, without any attempt to build along the lines of proper organization or to plan for the future. The remarkable growth of our cities has been reflected in the growth of our business enterprises. They, too, grew up with a haphazard organization in most instances, but the stress of competition forced them into a fairly early recognition of their condition with the result that they called to their assistance the experts in accounting, systematizing and planning, so that today the organization of American industries is the marvel of the world.

It would seem then that we must recognize that there are certain problems of municipal government that cannot be met with the present machinery and that these problems must be studied by men trained especially for such work and brought together under some bureau or department.

2. What shall be the purpose and scope of such a bureau? Shall it be merely advisory in nature or shall it have power to enforce its recommendations? Shall it limit its work merely to the installation of records and accounts that will record the transactions of the several departments under their present procedure, or shall it aid in reorganizing departmental business procedure and accounting methods and establish standards of efficiency? Shall it confine its work to reorganization under the present limits of departmental activity or shall it point the way for an enlargement of the department's field of activities?

Shall the work be confined to the present activities of a city or shall it be extended to cover fields of social service through investigation of conditions of living, to correlate the present departments with the findings and to suggest remedial legislation?

What, then, is the purpose and scope of a bureau or department of public efficiency? While every city has practically the same conditions confronting it, there will always be local conditions of policy or of a financial nature or reasons of restricting laws that will govern the decision on this point. But the experience of New York, Chicago, Milwaukee, and other cities where the work has been started should be valuable in determining this question.

In no city so far has direct power to enforce recommendations been given the bureau. In New York, the improvements in service were effected by publicity given conditions found after investigation, thereby forcing the department head in some instances to correct the evil pointed out where aid could not be secured solely upon suggestion. Results were also obtained by coöperation with the comptroller and commissioner of accounts who secured certain reforms through their control of finances. In Milwaukee the bureau was dependent upon action of the council to enforce recommendations where coöperation could not be had. In Chicago the power of the civil service commission to determine personal efficiency gives it rather more authority to control business efficiency than is had in other cities, even though the power is not directly conferred. In St. Louis, representing the fourth type of bureau, the control that can be exercised is limited to financial control, such as is now exercised by the comptroller and commissioner of accounts of New York.

The experience of the several cities indicate that while much may be done by a bureau acting solely in an advisory capacity, it is dependent upon other agencies to see to the carrying out of its recommendations. The result has been that the findings of careful and costly investigations have many times been ignored; that recommendations were only partially adopted without improvement of service, and attempt made to place the burden of the failure on the bureau; that a constructive program involving several departments would be defeated by the opposition of only one

department; that opposition was engendered in most instances where reorganization meant reduction of the number of employees.

As has been noted, the only results obtained by any bureau except where coöperation has been had, has been through the power vested in some other agency; sometimes it has been by appeal to the mayor; sometimes through the city council; sometimes through the city attorney; sometimes through the comptroller and sometimes by having one city department take up the bureau's battles against another.

No bureau that has been in existence for a year but has had to use one or more and sometimes all of these means to enforce its recommendations. The conclusion would seem clear that in order to obtain results, it is essential that the bureau should be given powers within certain limitations. What these limitations should be will be discussed in the plan of organization.

If the work of the bureau is limited to the installation of records and accounts, that will record the facts under present *modus operandi*, nothing more will have been done than to provide means of comparing the results of one administration with another. With comparatively little more work and not much more expense, a study could be conducted looking toward betterment of service and the setting up of standards of efficiency which would mean in most cases a far greater annual saving than the cost of the study, and would do away with duplication of work and misdirected effort and permit of a comparison, through the establishment of unit cost records, of the results not only of succeeding administrations, but with the work of other cities.

Any comprehensive study of a department would naturally bring out the possibilities of development into larger fields of activities. How far these should be undertaken by a department under the guidance of the bureau will depend upon the particular instance and upon local conditions. But it is natural that any intensive study will produce possibilities of departmental development.

The question as to whether studies should be confined to what are known as the present departmental activities of a city or whether a bureau's efforts should extend as well into a study of social conditions is one that must be given the most serious thought. While it is true that a city is organized as a public body to safeguard the interests and promote the welfare of its inhabitants, the question arises as to whether the major portion of the public have yet realized that a privately financed organization such as an anti-tuberculosis association only exists because the health department or the building inspector have failed in their full duties; that if child welfare organizations exist through private subscription that the health, library, school, and park departments have missed an opportunity; that if private agencies are developed to give free legal aid and to pro-

tect the unfortunate from usury or oppression, or the ignorant immigrant from exploitation, the city or district attorneys have not realized the duties of their offices; that if child labor exists, the school department and the factory inspector are culpable; that if the cost of living is high and women's wages so low that decent lodgings cannot be had within their wage limit, then the board of aldermen or the city council will fail in their duties if they neglect to provide for the proper care of these girls in municipal lodging houses; they will fail and the police department will have failed in the recognition of their duties if dives and low dance halls and unregulated amusements destroy innocent youth; and the school and library and park departments will have failed for their neglect, with the means at their command, to provide decent, clean amusements as an off-set to the lures of the vice district.

No complete test of efficiency can be had without a study of these questions, and some of them are so closely related to problems of organization that they *must* be studied, but as stated above, the question in planning the scope of the work of the bureau is whether the public is prepared—have they been sufficiently educated—to recognize the city's duties in all things civic, and to support a bureau which undertakes to correlate social measures with departmental activities. This is the problem that must be decided by local conditions, but it would seem that while a bureau is in its infancy, such studies had best not be touched except as they relate directly to the problems of reorganization. In Milwaukee, where more of the so-called "social" studies were undertaken than by the bureaus of any other cities, the work was financed outside of the appropriation from city funds, and the aim was made to take up only such investigation as had direct bearing on problems of efficiency. A study of the scope of the work and the efficiency of the health department cannot be made without entering more or less into the fields of social investigation and the bulk of the work in the social survey in Milwaukee grew out of and was correlated with the study of the health department.

3. Shall the bureau be temporary or permanent? This question will have been partly considered in reaching a decision as to the scope and character of the work to be done. If it is to be purely advisory, giving aid through expert service to the incumbents in office, then its life will only be that of its creators or of a succeeding administration in harmony with its objects. Its assistance under such plan cannot help but be of value, but changes in office occur at such frequent intervals that it will not have time to build on sound lines, and for that reason its work will be more easily destroyed by the incoming of an administration opposed to its purposes.

Owing to the disorganized state of our methods of accounting and systems of operating, and the fact that in practically all cities changes of

laws will have to be made before efficiency of service can be obtained, the scope of a bureau's work indicates a requirement in period of time that cannot be construed as temporary. There are serious objections from other standpoints to the creation of a temporary bureau. It renders it difficult to obtain the best men where the period of appointment is short; it makes the task of holding them difficult; it requires the payment of larger salaries; it prevents the undertaking of work that through its character cannot be finished within the indicated life of the bureau; each election threatens its life; it is forced to do work of a "showy" character to justify its existence; it is forced to fight against the constant endeavor to make it party to a political campaign. The experience of all bureaus indicates that the problem of bringing about public efficiency will require years of effort; that it can only be effected by a permanent organization working along definite lines; that it must not be subject to the whims of new administrations; that it is best organized as part of the governmental machinery.

Where, then, shall it be placed?

Three natural positions present themselves as bases for permanent organization, but as in the case of all points discussed above, a decision will be dependent on local conditions. The bureau can be made a part of the office of the comptroller, it can be made a separate department, or its work can be merged with that of the civil service commission.

It will be found in most cities that the comptroller is an elected officer and may or may not be in sympathy with the objects of the bureau. As one of the largest phases of the work is the development of the accounting system and financial control centering in his office, it is evident that the purpose of the bureau could be defeated and its work in all directions nullified if subordinated in the office of an antagonistic comptroller. There is the danger also that the location of a bureau in the department of a purely fiscal officer may cause it to lose sight of its broad purposes and to limit its work to supervision of accounts and finances.

The creation of the bureau as a new permanent department is desirable if there is no other department which could naturally exercise its functions. The tendency in modern city and state organizations is to limit the number of the departments, and to enlarge their fields of activities. This saves the general overhead expense of many high salaried officials and makes for a more concrete and responsible organization. The effect on other departments by the creation of a new department of the nature contemplated, is one that will require the most delicate handling. In some instance it will stir unfounded prejudice and develop antagonism without cause, and the greatest care will have to be used to convince the departments that the bureau will work in the friendliest coöperation and is not created for unfair criticism. This is necessary no matter under what plan the bureau is organized, for no matter how expert the members of the

staff may be; no matter how exhaustive their study, the plans will fail if coöperation is not had from the administrative departments. The utmost effort must be made to obtain their good will and coöperation, for the bureau can at best but guide and point the way; the actual execution must rest in the departments. If the bureau fails to secure this aid, and perhaps even though it does secure it, but is created by council resolution or ordinance that is subject to repeal, it runs the risk of being discontinued whenever opposition is raised. The only way to guard against this is to make the bureau an integral part of the government through charter provision.

The third place of location for a bureau is in connection with the civil service work. As developed in Chicago, and as proven in factory organizations, business and personal efficiency go hand in hand.

No study of one can be made without touching on the other. It would seem then that the work should be correlated. Much of the same organization study is needed in both phases of the work, and the raising of the standards of personal efficiency cannot fail to have its effect on business procedure; the simplifying of methods of transacting business instantly reflects on the personnel of the employees and reclassifies the service; records developed for recording business transactions can be made to serve as tests of personal efficiency. Civil service is now a permanent feature of our municipal organization, and already, when properly administered, exercises a certain control over departmental activity. Its influence could easier be extended without arousing opposition, than could a new department be created to exercise control. It is essentially a department of technical service as distinguished from a department with executive, administrative or legislative functions. Its activities through the very nature of the service it renders are judicial in character, and the extension of its duties to include all phases of public efficiency would not change the character of this service. If this be done, however, the department should be planned as a department of public efficiency with civil service as one of its functions. This will give the broadest possible idea of its relations to the other departments and to the public and will allow it to be organized and developed along proper lines.

The character of the studies decided upon by the bureau will govern its organization. Dependent upon the nature of the work undertaken, there will be required accountants, engineers, statisticians, sanitarians, sociologists, etc. Some of these men will be needed as a permanent staff; others will only be called in as occasion requires, but there must be one man in charge, as director, with full authority and power to carry out the policies determined upon by the members of the board governing this department. He must have the fullest support and coöperation from this board and they should be in close touch with all of his work. Until the

work is somewhat advanced and placed upon a fairly firm basis, the director should be free to select his staff from without the civil service list. The work will require men of the highest training, and in most cases such men are not seeking permanent positions and will not consent to examinations. It is highly advisable that at least in the first years of the bureau's work, it should secure the coöperation of a committee of the city council and a committee of the leading commercial and civic organizations and keep them advised of the plans of the bureau and the progress of the work. This public support will prove most valuable, but it should not be done at the expense of any department. Wherever an official or an employee indicates his willingness to aid in securing efficiency, the bureau must see to it that full credit is given him. If this idea is faithfully adhered to, it will bring into the work the fullest support of the departments and will produce a spirit of utmost faith and confidence in the bureau.

It is important that the bureau should have power to enforce its recommendations, but this power should be limited to the control of accounting methods and business procedure and not include decisions on questions of policy. It should have power also to coöperate with other departments and outside agencies in the study of social and economic problems. In drafting the law creating the bureau this feature should be one that would only be taken up on voluntary request of the department or other agency, while the power to compel all departments to keep proper accounts and records and to operate economically and efficiently and under civil service regulations should be vested in the bureau. Perhaps the best model on which to draft the law covering these points is found in the bill (Section 583, Session Laws 1911, Wisconsin) creating the Wisconsin state board of public affairs, which gives power to enforce as well as to coöperate. This is the first organization in any state planned to study the administrative departments in the interest of economy and efficiency, though several of the states through boards of audit or through the tax commissions are seeking to provide uniformity in accounting methods in their several departments. Under President Taft a commission appointed by him has been engaged for the past two years in the study of the various federal departments to correlate their activities and to point the way toward more efficient and economical service.

The method of financing the bureau or department of public efficiency must receive more than passing consideration. Unless the means are provided so that the bureau is secure from the danger of having its appropriation cut off by a city council antagonistic to its work, it will be in little better position than if created by resolution and holding place during the pleasure of changing councils. It has been deemed wise in many cities to safeguard the civil service commission against action of the council in reducing its revenue so as to render it powerless, by providing a

fixed percentage of the tax levy for its maintenance in the same manner and for the same reason that the school, library and park departments are so financed.

Among the many duties of the bureau and among the most important will be the assembling either through its own staff or through a municipal reference library of the facts and results of studies being conducted by similar bureaus throughout the country. These would be made available to the various departments and the bureau would simply act as a clearing house and an interpreter of results.

As fast as it can be accomplished the bureau should supervise the issuance by each of the departments of monthly cost bulletins showing by comparison the cost by units of service of the previous month, the current month, and the same month last year. These bulletins should be distributed free to all citizens interested in receiving them and will prove one of the most efficient aids that can be devised for securing appreciation of efficient officials and condemnation of poor ones.

All cities contemplating the establishment of bureaus of efficiency should have in mind two important considerations.

First, efficiency means economy, but not *necessarily* through lessening of cost. It may require a greater expenditure than in previous years to secure an efficient health department, but the increased value of its work in safe-guarding the health of the people is surely *real economy*.

Second, The present condition in our cities is the result of years of unregulated growth. *It cannot be corrected in a day*. Full recognition must be given to this fact and if sound lasting reform of business and accounting methods is desired, the bureau must *not* be called upon to show results before *reasonable* time has elapsed. Then, if the work is being done as suggested, through coöperation with the various departments, it will be the departments which will make the showing and receive the credit and *not* the bureau.

To be successful, the work must be sympathetic rather than antagonistic.

The public is eager to learn the problems of its government and in no more effective way can this be done than by the creation of a properly organized department of public efficiency.

RESEARCH AND REFERENCE BUREAUS

BY EDWARD M. SAIT, PH.D.¹

New York City

IT HAS been said that the spirit of Wisconsin is democracy and her method science. The same spirit and the same method prevailed among the little group of men who founded, in January, 1906, the New York Bureau of Municipal Research. These men had come to understand why successive reform administrations had failed to accomplish permanent results. In the words of R. Fulton Cutting, Mayor Low's administration "conclusively disclosed the insufficiency of reform by the ballot. The man without the machinery, animated by the noblest ambitions, is compelled to pursue them with an antiquated, rusty, unreliable mechanism that paralyzes progress." Mr. Cutting and his friends believed that the government machinery must be overhauled, systematized, brought abreast of the most approved business practice; and that officials should be placed in a position where faithful service would be easy rather than hard and where public scrutiny would be intelligent and effective. They wanted efficiency—efficiency of the official and of the citizen.

Attention was first turned to the budget. That is the point in the conduct of government at which scientific method can best reveal and prevent waste or stealing. The budget-making of that period left plenty of room for improvement. The departmental estimates were subjected to indiscriminate reductions running as high as 40 per cent, because there was no means of telling how far they were based on actual needs. As a result, the departments, exhausting their appropriations, had to be tided over with special revenue bonds which bore heavily upon the taxpayer. The bureau investigated the situation and found that the departmental estimates were inadequate, as not giving sufficient proof of alleged needs and not stating definitely the destination of the money, and that though supplies were appropriated to specific objects there was nothing to prevent the money being spent on other objects. The bureau advocated the segregated, functionalized budget.

An opportunity to work out the new system presented itself just at this time. The department of health, seeing that its estimates had been severely pruned each year, wished to make a really convincing appeal for funds and accepted the assistance of the bureau. The changes which were introduced met with wide approval. The departmental estimates for 1906

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had contained only eleven items or two inches of printed matter. One of the items read: "Hospital fund excluding payments to private hospitals." By 1909 the titles had increased to a hundred and fifty-four occupying six printed pages. It now appeared exactly how much might be spent by each of the hospitals for salaries, vehicles, supplies, etc., and how much might be spent in fighting each of several communicable diseases, this last subject having been altogether ignored three years before. In 1907 the city government approved the segregated budget and requested the comptroller to prepare suitable forms for the use of the departments. The adoption of this reform made possible the intelligent granting of supplies as well as intelligent public observation of services performed. The next step was to popularize the budget somewhat in the manner of Tom L. Johnson, whose "tax school" and picture shows of scandalous assessments brought vital facts home to the citizens of Cleveland. Not only was publicity secured through the newspapers, but a budget exhibit was provided which promises to be an annual affair and which attracted 800,000 visitors last year.

Budget reform was only one phase of the bureau's work. It also gave attention to reorganizing the business management of the departments, making detailed examinations of records and accounts and indicating the improvements which should be made. Thus, in the matter of the purchase of supplies, it was found that the lack of system allowed twelve different offices in a single borough to pay a wide range of prices for the same grade of coal in the same season. Thus, too, the investigation of the office of Borough President Ahearn revealed such misconduct that Governor Hughes removed him on charges of gross incompetence; and as the result of another investigation the senior commissioner of accounts resigned before the hearing of charges to the effect that he had employed members of his staff upon private work during business hours.

These are given as examples of the early work of the bureau. It would hardly be possible to indicate here the wide range of activities and the solid achievements which are described in the bureau's pamphlet on *Six Years of Municipal Research*. Some of these services, such as the establishment of a bureau of child hygiene or the improvement of the method of inspecting slaughter-houses, cannot be measured easily in terms of money saved. Others can. It is due to the bureau that the annual collections of the water department have increased by \$2,000,000 and that a sum of \$723,000 has been recovered from street railways for paving done between the tracks at public expense. The reorganization of the office of commissioner of accounts in 1907 has been responsible for the saving of large sums through its activity in the elimination of graft and waste. Incredible as it may seem to New Yorkers, their city is beginning to serve as a model in such matters as financial reorganization and the adoption of new administrative

methods. The Bureau of Municipal Research, though it may by no means claim all the credit, has been the most effective single instrument in rousing and directing public opinion.

Not less notable has been the expansion of its influence through the country. The little candle has shed its beams into the murky atmosphere of many another city. Chicago, Milwaukee, Cincinnati and Philadelphia have adopted the segregated budget; departmental reorganization, accounting revision, and other reforms have proceeded in these and other cities along the lines laid down in New York. The Metz fund (\$10,000 a year for three years) is being applied to promote the adoption of scientific methods of accounting and reporting. The most significant fact, however, is the spread of the bureau idea. Leaving out of consideration the various city clubs and chambers of commerce which are beginning to give attention to more or less technical problems of municipal government, there are at least twenty private and public agencies scattered through the country all working with the single object of securing administrative efficiency. The conviction that public business must inevitably be less efficient than private business is breaking down. Vague, uncritical aspirations are giving way to persistent and systematic application of practical remedies.

Most of the privately-sustained bureaus, a list of which will be found at the end of this article, may be regarded as offspring of the New York bureau. Not only have they set before themselves the same objects and proceeded with very much the same methods, but the experts chosen to guide the work have often been schooled in the parent institution. Now that the Training School for Public Service² has been established, with a fund of \$200,000 for the first five years, a much larger force of men will be available for this and similar employments.

What have these bureaus accomplished?

The Chicago Bureau of Public Efficiency may be taken as an example. It was organized in 1910 under the ægis of the city club, though with money raised by private subscription. The purpose was to continue, on a somewhat wider basis, the work which the Merriam commission had done in investigating city expenditures; for reforms can be secured only through persistence and iteration. By drawing attention once more to some of the commission's reports the bureau persuaded the city to undertake an electrolytical survey, modify faulty specifications for wood block pavement, and create a municipal repair plant for asphalt roadways. It introduced the segregated budget and brought about changes in accounting methods and municipal contracts. A series of reports was published on the organization and conduct of the county offices. These will be useful to students of county government. Mismanagement, antediluvian methods, graft, and waste are perhaps natural conditions where officials are

² See NATIONAL MUNICIPAL REVIEW. vol. i, p. 305.

chosen on a long ballot and left to go their own sweet way between elections. The judges of the circuit court, who have the power of fixing the number of employees in certain of the county offices, were shown to be no more zealous in the public service. The county treasurer, O'Connell, would not allow himself to be investigated. This raised a question of fundamental importance. If the bureau gave way, its prestige and the future effectiveness of its work would be seriously impaired. Nothing of the kind happened. A pamphlet was published; and in it such ugly facts were disclosed that the treasurer has undergone a change of heart and submitted his books to inspection. As Dr. Allen says, "there are few men who want to be crooks and there are none who want to be known as crooks."

The Cincinnati Bureau of Municipal Research, founded about the same time and supported by eight associations including the city club and the chamber of commerce, has also had a useful career. It has secured the adoption of the segregated budget, reorganized the business methods of the park department, installed a new system of record-keeping in the board of health, brought about considerable changes in the specifications for wood block and brick pavements, and made recommendations regarding the purchase of supplies, tenement house inspection, and other matters. Equally imposing is the record of the Philadelphia bureau. It is now working, at the request of city officials, upon the standardization of supplies and numerous projects of reorganization. In Philadelphia, as in Cincinnati, the new reform administration has taken full advantage of the assistance which the bureau is ready to afford.

The public agencies are relatively few in number and for the most part different in scope. Those in Baltimore, Kansas City (Mo.) and St. Louis are merely intelligence bureaus. While efficiency is their end, the means do not include any expert review of departmental organization and business methods or constructive recommendations for improvements. Their function is a limited one: to collect and classify such materials as will be serviceable to city officials or to the public (including the newspapers). They are repositories of municipal experience. When the city council applies for information regarding garbage disposal or taxicab rates or municipal lodging houses, it will be told what has been done in the principal cities of America and Europe; and not only what the law is, but how the law works. Under the old dispensation aldermen simply groped about in the dark, treating each problem as if it were a novel one in the experience of mankind. The establishment of such reference bureaus was recommended by a committee of the National Municipal League in 1910; but only in the three cities mentioned above does there appear to have been much specialization.

There are other types of public agencies, however, whose functions approach more nearly those of the private bureaus. There is an efficiency

department in Pasadena which has begun a study of the city departments. In New York the commissioner of accounts saved the city \$618,680 last year by means of his investigations, although his efforts were directed along lines calculated to make expenditure more efficient rather than to decrease it. In Milwaukee a Bureau of Economy and Efficiency was erected by resolution of the common council shortly after the election of Mayor Seidel in 1910.³ At the outset it formulated a comprehensive program providing for a preliminary survey of the organization and conduct of the various departments, a social survey which would look into the conditions of living, and finally an efficiency survey designed to find remedies for whatever defects might be revealed. These inquiries were conducted with the idea that the object of government should be community welfare in the broadest sense. Something of their exhaustive character may be gathered from the fact that seventeen reports were issued within a year and a half, the most important of these examining certain functions of the departments of health and public works and making constructive recommendations. All the expenses of the bureau, which came to an untimely end with the advent of a new administration in April of this year, fall short of \$50,000. Yet if all its suggestions are adopted, the city will save something like \$200,000 a year, not to mention the extension and improvement of service.

The Boston Finance Commission, which was established in 1907 and continued under the charter amendments of 1909, enjoys a more independent position. Not only is it appointed by the governor, but the city is required to make a minimum annual appropriation of \$25,000 in addition to the salary of the chairman. The commission is required to "investigate any and all matters relating to appropriations, loans, expenditures, accounts and methods of administration affecting the city of Boston or the county of Suffolk." Last year it made fifty-two reports. They covered such various matters as the operation of the charter amendments, the city debt limit, contracts for street lighting and refuse disposal, improved means of fire prevention, increase in teachers' salaries, and proposed pension acts. The most complete report (237 pages) had to do with the school system and showed that its administration was fully entitled to the public confidence as being honest, economical, and intelligent—a pattern for other departments to follow. In a review of the year's finances, on the other hand, the mayor was sharply criticized for padded pay-rolls and improper allowances for overtime. On the order of the city council a bureau of municipal research was established as an adjunct to the commission in the spring of 1910.

Probably our experience is too short to settle the relative merits of public and private bureaus. Both have succeeded. There is room for both. In New York the bureau and the commissioner of accounts have happily

³ See NATIONAL MUNICIPAL REVIEW, vol. i, pp. 420, 460.

supplemented each other. On the one hand efficiency departments are as essential to the proper functioning of city governments as they are to the success of business corporations; and on the other hand government ought to be subjected to close and continuous scrutiny from the outside, something which may be done more effectively by a group of experts than by the inchoate mass of voters. It is said that a public agency will meet with more generous coöperation on the part of officials and have easier access to records and accounts; yet we find the Chicago bureau forcing the county treasurer to submit to investigation, while Mayor Fitzgerald does not hesitate to ignore the recommendations of the Boston Finance Commission. Public agencies may be moved or suspected of being moved by partisan considerations; their dependence upon varying political conditions may be illustrated by the history of the office of commissioner of accounts in New York; and, unless protected by charter provisions, they may be swept away with a change of administration.

With the advance in administrative ideals and methods, efficiency bureaus will become much commoner. Their value has been demonstrated. But some things, especially the training of public officials and the collection of data covering the whole field of municipal activities, may well be entrusted to other hands. Before our universities there lies a splendid opportunity, an opportunity for increasing their own prestige and for doing notable public service. It is an opportunity which will not be neglected. Already municipal reference bureaus have been formed in three state universities.

Wisconsin led the way in July, 1909. The bureau, which is attached to the university extension division, started with an ambitious program and has met with encouraging success. Information is being gathered on all phases of city government, from sewage disposal and the control of public utilities to smoke abatement and the care of trees. It is made accessible through the publication of bulletins—one on commission government is already in the second edition—and through correspondence. Last year the bureau answered 1500 inquiries coming from practically every city in Wisconsin and from every state in the Union. It should be observed that cordial coöperation with city officials is made the easier because the director is at the same time secretary of the League of Wisconsin Municipalities and editor of the League's magazine, *The Municipality*. Similar in scope and character is the bureau which was established at the University of Kansas two months later. It functions as a clearing-house ready to furnish whatever data municipal authorities may call for. In all departments of the university, such as law or engineering, specialists are ready to assist with advice on technical and difficult questions. Through the initiative of the bureau a league of municipalities has been formed and coöordinated with the bureau by the appointment of the director as secretary. The cost of maintenance cannot be ascertained in either of these

cases, as the office force of the extension division is utilized. For Wisconsin \$5000 would be an outside estimate. The University of Nebraska has had a bureau since the spring of 1911, the state having appropriated \$10,450 to pay for municipal and legislative reference work during the next two years.

Other institutions have entered the field, but either tentatively or with limited objects in view. Thus the municipal reference department at Whitman College has begun collecting materials and will coöperate this autumn in the formation of a league of municipalities in the state of Washington. The University of Illinois, failing to secure funds from the legislature, has managed, with the assistance of the university library, to gather documents and reports and to answer inquiries which have been received. At Harvard, where an annual sum of \$2500 has been subscribed by alumni, Professor Munro lays emphasis, not upon having information for official use, but upon affording students practice in handling the concrete problems of municipal administration. Those attending his classes are assigned topics for investigation among the first-hand materials; and when city authorities ask for enlightenment, students search out the facts. Similarly the Politics Laboratory at Columbia University, endowed for two years by Hon. Patrick F. McGowan, looks chiefly towards increasing the effectiveness of class-room instruction and the interest of the students. With the opening of the school of journalism the laboratory will probably assume a larger rôle and certainly have a more complete equipment.

The universities are therefore approaching common ground from different directions. Harvard and Columbia have the student principally in view; Wisconsin and Kansas, the public. Eventually it will be found desirable to use the plant for both purposes, because with little change in management it is equally applicable to both. We need not look far ahead to see the universities real teachers of government; on the one hand training men for public service as well as citizenship (and training them without the waste of much attention on Aristotle's classification of states or Webster's illuminating constitutional discourses), and on the other hand acting as the educators of communities by the distribution to them of the fruits which experience has borne in cities throughout the world.

Of course the researchers have raised up enemies. Critics are always criticized. It is natural that plunderers should make what resistance they can when their offences are detected or their operations curtailed; and even good citizens, though they would rather have their purses saved than their souls, are in the habit of looking upon all uplifters with not a little suspicion. Indeed, our preachers of efficiency are sometimes self-complacent, sometimes esoteric, and narrow (perhaps reformers have to be men of one idea) in the emphasis which they place on method as opposed to personnel.

Did not Wells wickedly satirize them in the Baileys, "excessively devoted to the public service," and especially in Altiora Bailey who found "trees hopelessly irregular and sea cliffs out of place?" Yet Esmeer, who hated the Baileys like poison, couldn't keep away; they had what all the political world desired—facts. And the bureaus, whether loved or not, are bound to be a power in the land because they have the facts and know how to use them intelligently. Their idea is not so much to expose and punish the unfaithful servants as to support and commend the faithful; not so much to jail grafters as to install business systems which will make grafting difficult; not so much to reduce expenditure as to see that none of it is wasted. They are also bent upon creating an informed and alert public opinion. In such a program there is surely nothing which is open to attack as dangerous, visionary, or impracticable.

APPENDIX

Private Agencies

(The date of establishment and the expenses for the last year are given)

Alameda County Tax Association: Secretary, W. S. Gould, Oakland, California; March, 1911. \$6000.

Chicago, Bureau of Public Efficiency: Director, Harris S. Keeler, 315 Plymouth Court; August, 1910. \$150,000 for three years' work.

Cincinnati, Bureau of Municipal Research: Director, Rufus E. Miles, 804 Neave Building; July, 1909. \$16,784.

Des Moines, Bureau of Public Efficiency and Economy: Secretary, J. G. Mitchell; October, 1911. \$800 for first four months.

Hoboken, Robert L. Stevens Fund for Municipal Research: Secretary, Genevieve W. Beavers, Hudson Trust Building; 1910. \$4000.

Hudson County, Citizens Federation: Secretary, Winston Paul, 537 Summit Avenue, Jersey City; 1912. \$5000 or \$10,000.

Jersey City, Bureau of Municipal Research: Director, Frank Stevens, 46 Montgomery Street; February, 1912.

Memphis, Bureau of Municipal Research: Secretary, E. O. Gillican, Tennessee Trust Bldg., 1909. Activities suspended temporarily in 1911 through lack of funds.

New York, Bureau of Municipal Research: Directors, W. H. Allen, Henry Bruère, F. A. Cleveland, 261 Broadway; January, 1906. \$97,763.

Philadelphia, Bureau of Municipal Research: Director, Jesse D. Burks, 731 Real Estate Trust Building; July, 1909. \$35,000.

Pittsburgh, Committee on Municipal Research (of Civic Commission): Secretary, Allen T. Burns, 324 Fourth Avenue; January, 1909. \$6478.

Wallingford (Connecticut), Bureau of Municipal Research: Secretary, Martin F. Plunkett; February, 1911. Expenses negligible.

Wayne County Bureau of Municipal Research: Secretary, N. C. Heironimus, Richmond, Ind.

Westchester County (New York) Research Bureau: Director, Otto G. Cartwright, 15 Court Street, White Plains; October, 1910. \$10,000.

Public Agencies

Baltimore, Department of Legislative Reference: Director, Horace E. Flack, City Hall; January, 1907. \$3,573.82.

Boston, Bureau of Municipal Research (of Finance Commission): Director, George A. O. Ernst, 410 Tremont Building; 1910. \$5000.

Kansas City (Missouri), Municipal Reference Bureau: Director, Charles H. Talbot; 1910. \$3000.

Milwaukee, Bureau of Economy and Efficiency: Secretary, John E. Treleven; 1910. Dissolved, 1912.

New York Commissioner of Accounts: 280 Broadway; 1873. \$219,169.

Pasadena (California), Efficiency Department: Mayor, William Thum; 1911. \$2000.

St. Louis, Municipal Reference Library: Jesse Cunningham, City Hall; October, 1911.

Academic Agencies

Columbia University, New York City: Politics Laboratory, 1911; Directors, Profs. Charles A. Beard and E. M. Sait.

Harvard University, Cambridge, Massachusetts: Bureau of Research in Municipal Government, 1911; Director, Prof. W. B. Munro.

University of Illinois, Urbana, Illinois, Municipal Bureau, 1911; Director, Prof. J. A. Fairlie.

University of Kansas, Lawrence, Kansas: Municipal Reference Bureau, 1909; Director, Prof. Richard R. Price.

University of Nebraska, Lincoln, Nebraska: Legislative Reference Bureau, 1911; Director, Prof. Addison E. Sheldon.

Whitman College, Walla Walla, Washington: Municipal Reference Department, 1910; Director, Prof. Charles G. Haines.

University of Wisconsin, Madison, Wisconsin: Municipal Reference Bureau, 1909; Director, Ford H. MacGregor.

TAXATION IN PHILADELPHIA^{the tax, in}

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BY LOUIS F. POST¹

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Chicago

PHILADELPHIA was characterized some years ago by Lincoln Steffens as "corrupt and contented," but he saw a saving remnant. And there was one. Active in this remnant was Rudolph Blankenburg, of whom we hear as a successful and respected manufacturer and merchant, now approaching the age of three score and ten but perennially youthful and hopeful and public spirited. Mr. Blankenburg's activities in his apparently hopeless fight during his "thirty years' war" were doubtless to the gangsters a joke. Last year, however, he was elected mayor.

The cartoonist of a local newspaper celebrated his induction into office by picturing him as "The Old Dutch Cleanser." It was a happy thought. Philadelphia laughed and applauded, thanked God and took courage.

The new mayor had work cut out for him. Philadelphia finances were in a deplorable state, due to neglect followed by bossism, extravagance and worse—as usual. For years large amounts of current expenses had been paid from loans. It is necessary now that both income and borrowing capacity be increased. Mayor Blankenburg's first annual message, September 20, 1912, must have been awaited therefore with interest and anxiety.

The situation needed a master hand, the outcome was disappointing. The Associated Press telegraphed to the country his proposals contained in "a message remarkable for unusual recommendations." These have been severely criticized, in some respects justly. The subject of taxation is yearly attracting increasing attention, yet the mayor did not appear to have thought very profoundly. His suggestions generally were reactionary. Not all were so, but taken as a whole his message is like the old time mince pie which was full of ingredients, some of them wholesome.

Proposing an occupation tax, from which Philadelphia is now free, the mayor said:

This, it would seem to me, is an equitable proposition, for all citizens enjoying the privileges and protection of our municipality should not only be willing but glad to contribute their mite for the maintenance of that government.

¹Mr. Post is the editor of *The Public* and one of the leading and most trenchant advocates of the single-tax in the country. He has a justly earned reputation as a student of taxation.

Men otherwise intelligent and public-spirited, as is Mayor Blankenburg, are frequently ill-informed on the subject of taxation. He has failed to see that all citizens already do contribute much more than a "mite" for the maintenance of government.

An editorial in the *Saturday Evening Post* of October 26, 1912, quotes census figures showing that the average family of five persons contributes in taxes almost \$180 yearly, and this, says the editor, "takes no account of whatever indirect burdens the tariff tax imposes by raising the price of protected goods." Thomas G. Shearman in *Natural Taxation* (p. 27), estimates conservatively the latter tax at three times that which is collected at the ports.

Now every owner or occupant of a house in Philadelphia pays taxes on that house. If he occupies but a room or rooms, he pays a real estate tax. Take the case of a boarding house. All inmates pay equally for food, but they pay differentially for their respective lodgings. The boarder in a desirable room pays a large price; the boarder in the third story back pays a small one. These prices include rent of land, interest on the cost of the furniture, interest on the house, repairs, water rent and taxes, always and everywhere, excepting only in the case of paupers and criminals—they being tax eaters.

Students of taxation know that taxes fall in undue proportion and with undue severity upon the humbler classes, generally known as wage-earners, whose share is not to be lightly regarded as a "mite." The cautious Shearman (p. 33) estimated for 1880 that "taxes consume directly and indirectly at least 15 per cent of a laborer's average income." He showed further, (p. 36) that disproportionate taxation is a powerful and persistent factor in the unequal distribution of wealth. It works cumulatively toward concentration in a few hands, producing on the one side poverty and on the other swollen fortunes. It is undeniable that the humbler classes pay vastly more than their share already. Shearman says "ten times"! Then why tax a man additionally because he has an occupation?

Occupations are natural and necessary, and the lack of occupation for multitudes of men is a matter which excites anxiety among the thoughtful. On October 10, 1912, F. O. Walters, a Kansas City grocer, was jailed because of his refusal to pay such a tax. His protest may be commended to Mayor Blankenburg. He said, "I won't pay it. I pay a state tax, a county tax, and a city tax, and I don't see why I should be made to pay a tax for making a living. I can't afford to pay this extra tax, and if you are going to fine me for not paying it, you might as well do so, because if I pay it you may have me in here for vagrancy later." A fine for not paying a tax, or a fine for vagrancy induced by paying the tax—what is the difference?

On the same day Thomas Morrison was taxed because he washed soiled

clothes for pay. He was given ten days to pay the tax, in default of which Kansas City would put him in jail (and go dirty). In Kansas City they call the occupation tax a "license fee." The term has a pleasanter sound. In other cities, presumably in Philadelphia and Kansas City, a wealthy automobilist pays a license fee or occupation tax (they call it "a fine") because he has run his car at a murderous rate through the streets of the city—his usual "occupation." Still another "tough" pays a license fee or occupation tax of \$10 (they call it "a fine"), for going on a drunk—his usual "occupation." We are absurd. Boasting of our civilization, yet we fine men for industry and fine them for idleness, we fine for virtue and we fine for vice and even for crime.

What is the proper course?

Occupation should be encouraged instead of being taxed; criminals should be imprisoned instead of being fined.

Mayor Blankenburg says that the proposed occupation tax would not be a burden upon wage-earners, storekeepers, professional men or any persons who follow a gainful occupation. The mayor is apparently not aware that the mercantile license tax in Philadelphia is such a burden to thousands of humble people as I am informed, that it is a perennial source of iniquity, annoyance, irritation and corruption, and that many attempts have been made to repeal it.

In view of the fact that every man, owner, lessee, lodger or boarder, directly or indirectly, pays a real estate tax proportioned to the value of the real estate occupied, whether the whole house or a part of it, whether the cellar or the top floor, what justification has Philadelphia for asking any other kind of tax?

The mayor says it is in return for the enjoyment of the privileges and protection of the municipality. So far, so good. Let us concede that privileges and protections should be paid for by all citizens. But they are, in fact, so paid in Philadelphia now. Doesn't Mayor Blankenburg see that the entire financial benefit of the taxes spent for those privileges and protections attaches to land, always to land, and to land only? And that it raises the rent of land, which is thereupon promptly extracted by landlords from tenants? Humbler individuals pay taxes for good government in their rents, and they, as compared with richer classes, are already overburdened.

The mayor is influenced by a vicious principle of taxation, namely, that each should pay according to his ability to pay. The *just* principle is that each should pay according to the benefit he receives.

This principle Mayor Blankenburg must have followed in dealing with customers during his long and honorable private business career. It is the principle which he should try to follow in dealing with Philadelphia's

customers, generally known as "citizens." As good government cheapens labor products, but increases the value of land and in the long run of land only, the cost of government should be derived not from products, but from land.

The mayor proposes also an out-put tax upon goods manufactured in the city, say \$1 per \$1000. He estimates that this tax would produce a revenue of \$750,000. It would be a backward step, if the policy of Pennsylvania is, as I understand it has been for many years, to invite manufacturers.

To this end, stocks of goods and machinery are untaxed by the state; manufacturers selling their own products are exempt from the ordinary mercantile license tax; manufacturing corporations are exempt from the 5 mills tax on corporation capital stock, as well as the corporation tax on net incomes, paying in Philadelphia only on land and buildings.

Hasn't this policy of simplicity and directness made Philadelphia attractive to manufacturers? and in fairness shouldn't it be extended to all industries?

The mayor's proposal to tax vault spaces under side walks is good. But if sub-sidewalk space is public property why not rent it for full annual value instead of taxing only a percentage? If not public property, doesn't it add to the value of the adjacent lot if the owner is privileged to appropriate it and in that event is it not already taxed? If not, why not?

The state tax on automobiles in Pennsylvania is \$10. The mayor proposes in addition a city tax of 25 to 50 cents per horse power per annum, his justification being that

No one will gainsay the fact that automobiles are largely the cause of the heavy cost of street repair and maintenance—particularly on the macadam and country roads, of which we have more than four hundred miles—and add materially to the labors of the department of public safety.

But an automobile traveling at moderate speed on wide rubber tires is not a road breaker but a road maker. The damage by automobiles to macadam and soil roads is due to excessive speed, which causes suction of the road material as well as danger to pedestrians, an evil which should be prevented by criminal penalties instead of being licensed by taxation.

The mayor proposes also a tax on overhanging signs. He says they are innumerable in Philadelphia.

Such a tax is bad. Every overhanging sign is an aggression on public property, an eye-sore and a menace. In Philadelphia the evil is said to

have attained proportions which make the city streets a mess of ugliness, perhaps beyond those of any city in the country; and although the mayor says there is a law forbidding them on some streets, that law is apparently more honored in the breach than in the observance. Aggression should not be licensed but forbidden. Signs are private property; private property should not be allowed beyond building lines.

Although the mayor refers to the defacement of the city's highways and suburban landscapes by these signs, it is somewhat difficult to understand whether he wishes to get a revenue from the signs or to repress them and their ugliness. If the latter, it should be remembered that the power of taxation should be used for revenue and not for police regulation.

Household furniture is not taxed in Pennsylvania, whose methods, however faulty, may not unfairly be said to be simpler and better than those of any other state in the union. The mayor suggests reform backward. Concerning the tax on household furniture which was repealed in 1867, he says:

It is somewhat strange to me that while real estate is highly taxed, the contents of the dwellings escape entirely. A general exemption of \$300 for household furniture and furnishings would seem reasonable, but everything above that is a fair subject of taxation, and would not affect the people of small means, but would impose an equitable tax upon those well able to pay. I have before me a tax bill levied in the city of Cape May, N. J., which taxes the value of land and the value of buildings separately, and also separately the value of furniture and personal property. The value of land, \$7,100; the value of buildings, \$10,000; the value of personal property, \$1,000; a total value of \$18,100, at the rate of \$2.25, making a total taxation of \$407.25.

The mayor says a tax on household furniture would be "equitable." But furnishings and other personal property never have been equitably assessed anywhere. It is not in the nature of things that they can be so assessed. It would require omniscient intelligence to do it. The history of taxation shows that attempts to assess personal property equitably have generally been a joke, sometimes a tragedy, and always and everywhere a foundation for schools in perjury.

A tax on furniture and other personal property is a tax on comfort and decency, and an inducement to deceit and double-dealing.

Always, too, the rich are favored at the expense of the poor. No better proof of this is needed than the item which Mayor Blankenburg furnishes to support his suggestion. Here in fashionable Cape May are a lot and building worth \$17,100, an expenditure incurred for the purpose of sheltering furniture and other personal property worth only \$1000! Truly an interesting case—especially so when we look for the New Jersey definition

of personal property subject to taxation "according to true value." It includes all goods and chattels, all debts, and all public and corporate stock, and whether within or without the state.

The greatest cause of corruption in government is indifference, neglect. The cause of neglect of government by humbler classes is that the cost is largely concealed by reason of indirect taxation. (Shearman calls it "crooked" taxation). People pay for government without knowing it. For instance, which of the readers of this magazine knows, even approximately, what he and his family pay for the support of the government at Washington.

Take a "horrible example" from Philadelphia.

The illuminating gas used by the city corporation is served "free" to the city by the United Gas Improvement Company. Anybody who thinks that this company furnishes anything free is an innocent. The city's bill for gas is in fact paid for by an increased price to the citizen consumers of gas in Philadelphia—by consumers of gas only. These consumers are then taxed on their own use of gas according to their consumption respectively, 15 cents per 1000 feet, which is collected by the company from consumers and paid to the city by the United Gas Improvement Company; that is to say, consumers of gas pay for their own gas and for the city's gas, and then are taxed, each according to the volume personally used, 15 cents per 1000 feet. If this tax were direct, there would be a riot in Philadelphia in twenty-four hours. It is indirect (concealed in price), and has therefore continued for fifteen years. This is a special tax imposed upon a certain class, largely humble. It appears from the mayor's message to amount to \$1,304,028.78. The mayor does not seem to recognize that it is not only a tax, but also a peculiarly "crooked" tax. He refers to the difficulty of reducing not the tax on gas, but the price of gas.

The mayor is desirous of increasing the borrowing capacity of the city, which is constitutionally limited to 7 per cent on taxables. Obviously the only stable basis for such a percentage is on immovables, such as land and buildings. But Mayor Blankenburg proposes increasing the borrowing basis by adding such evanescences as "occupation" and "debts at interest."

The state of Pennsylvania, in order to "relieve" financially able people, taxes those whose necessities compel them to borrow money on mortgage. This is the 4 mill tax on money at interest, mostly mortgages, collected as a state tax, three-fourths returnable by the state to the various counties to "relieve real estate." The owners who are so fortunate as to be free of the necessity of borrowing do not pay any such tax.

The mayor's proposal is that the tax be named a city tax instead of a

state tax. Not to increase the city's revenues. Change of name would not do that. But in order that by means of a verbal juggle a further constitutional basis may be had for loans to the city.

The proper course with this tax would seem to be to abolish it, an example for which may be found, I understand, in the neighboring states of New York and Maryland. It is one of the taxes which thoughtless legislators put upon lenders supposing that lenders pay it, but which tend with increasing pressure to burden borrowers.

Mayor Blankenburg also proposes to substitute the occupation tax for the poll tax. Both are unjust and absurd. The first is a tax on doing something useful, the second on being alive.

A hopeful section of the mayor's message is that wherein he proposes to reform Philadelphia's methods of assessing real estate, a matter which he well says is of great importance, and to which he proposes to refer at a later date.

In Pennsylvania, fortunately for Philadelphia, state taxation is divorced from county and municipal taxation; real estate (land and improvements) being subject to local taxation only. There is thus no contribution to the state government by real estate, and no state board of equalization is required to supervise assessments of real estate. Thus, also, there is no temptation to under-assess one county as compared with another. The real estate tax in Philadelphia is for her exclusive benefit.

Now, the assessment of real estate is a business of extreme importance and delicacy, and in Philadelphia it is badly managed. The methods are a hundred years behind the times. Assessors do not even separate land and buildings; and, as the mayor points out, the assessors are independent of the city government, although the city pays their bills. The mayor is out to reform the matter by drastic legislation. More strength to his elbow! But, strangely enough, he does not mention as a basis for increased borrowing capacity an increased assessment on central business property.

Two years ago the Philadelphia councils employed outsiders to investigate assessments in seven wards of Philadelphia. They were the tax appraisal experts of the Manufacturers' Appraisal Company of Cleveland, operating under the Somers assessment system which Mayor Tom L. Johnson introduced in Cleveland and which after trial he strongly endorsed. The councils appointed local experts in real estate values to indicate, for the use of the appraisal company, a unit of land value at the middle of every block, and to check and supervise the work of the appraisal company's experts. The company, in accordance with the Somers method, then called public meetings in every ward in order that the units might

be criticized by the citizens. Figuring from the units finally set by public opinion the experts, using the Somers mathematical tables, reported in detail the usual discrepancies and iniquities that are familiar to students of taxation everywhere.

It appears, however, that no relief is to be obtained from the re-assessment of dwellings in general. The mayor states that the assessment of two-story dwellings (200,000) and of most of the three story dwellings (100,000) is practically up to full value. Yet the appraisal company's experts, on units furnished by the local experts, estimated an approximate under-assessment of \$500,000,000 for the whole city. Of this deficit \$100,000,000 was within a quarter of a mile of the city hall, \$16,000,000 having been missed from only three properties. On the other hand, in one single block there had been an over-assessment of \$500,000. A trust company at 515-521 Chestnut Street, assessed at \$700,000, was appraised by the experts at only \$453,106; and 537 Chestnut Street, in the same block, assessed by the city at \$225,000, was appraised by the experts at only \$149,265. No. 701 Chestnut Street, assessed by the city at \$90,000, was appraised by the experts at only \$76,283.

When called to an account by an interviewer, the president of the assessing board said that his own dwelling was over-assessed \$2000; yet, the Pennsylvania terminal, directly opposite the city hall, and appraised by the experts at \$10,677,878, was assessed by the city at only \$5,500,000. The Reading terminal, valued by the experts at \$7,319,100, was assessed by the city at only \$4,500,000. The Mint Arcade, across from the city hall, valued by the experts at \$4,063,078, was assessed by the city at only \$1,250,000. The Wanamaker store, opposite the city hall and valued by the experts at \$17,378,219, was assessed by the city at only \$9,250,000. The Masonic Temple, opposite the city hall and valued by the experts at \$3,762,256, was assessed by the city at only \$2,000,000—exempt from taxation, the Lord knows why if anyone does!

The explanation of these gross under-assessments and over-assessments is that the city assessors work by rule of thumb; the appraisal company, with the local experts, worked by public methods and mathematical tables.

An example of the Philadelphia assessors' method of "how not to do it" may be found by comparing 713 Chestnut Street, assessed at \$90,000, with 725 Chestnut Street assessed at \$125,000. These lots are within a few feet of each other, are of precisely equal area, and are occupied by buildings precisely alike; yet one is assessed for \$35,000 more than the other and by the same assessors.

It would not be profitable to discuss at length the mayor's proposal to tax the physical properties of public service corporations, for this would require legislation at the state capitol. In order to divorce state and local

taxation, a commendable idea, the state of Pennsylvania reserves to itself taxes on public service corporations, namely, a tax on the market value of capital stock (5 mills) and a tax on the gross receipts of those companies (8 mills).

The mayor himself does not consider his proposal seriously, but only as a possibility. But his language regarding these physical properties is scarcely just. He says:

The assessment and taxation of physical properties of public service corporations should be considered. At present corporation franchises are not taxed. Assuming that a fair valuation of franchises would add \$100,000,000, and that they were taxed at the same rate as other properties are now taxed, this would mean an increase of \$1,000,000 in current revenues.

Now as the value of these physical properties is a part of the market value of capital stock (taxed 5 mills) and necessary to the production of gross receipts (taxed 8 mills), it is obvious that they are not exempt from taxation. The justice of the amount of the tax is another question.

The mayor has a further proposal as a basis for borrowing. He says:

It is well known that our mills and factories and the real estate of all manufacturing establishments are assessed far below their actual value. This has been done for many years to encourage manufacturing. A reasonable proposition, it appears to me, would be to ask the board of revision of taxes to assess all such property at its full value, because such reasonable assessment would add scores of millions of dollars to the real estate values of our city and thus increase our borrowing capacity very largely. To avoid placing any additional burden upon our manufacturers, the tax rate upon all such property might be proportionately decreased. A special tax rate upon the real estate of all manufacturing establishments (which, when paid upon a full valuation, would only equal the present full rate on a low valuation) would injure no one and would help us in the present dilemma by probably \$7,000,000 additional to the borrowing power.

As the borrowing limit of the city is 7 per cent this statement indicates that manufacturers in Philadelphia have been yearly under-assessed to the extent of \$100,000,000, thus placing an undue tax burden on non-manufacturers to the extent of \$1,500,000 yearly, the tax rate being 15 mills.

In addition to the protective tariff, I have already indicated three legislative "favors" enjoyed by manufacturers and manufacturing corporations in Philadelphia. The mayor mentions a fourth, namely, a systematic and illegal under-assessment of mills and factories "for many years to encourage manufacturing."

The fact is well known, says the mayor. To whom? It was known to manufacturers, but was it known to those who had to make up the deficit?

The mayor tells us that the two-story dwellings and the three-story dwellings are practically fully assessed. These number 300,000. Divide \$1,500,000 by 300,000, and we have \$5 as the average "mite" contributed by small dwellings to "encourage" manufacturers. The encouragement is forced, illegal, "crooked" and unjust.

Several thoughts are suggested by the mayor's admissions.

The assessors have for many years violated their oath of obedience to the law, which requires equitable assessment at fair market value.

The mayor does not propose that the perjured assessors shall be impeached.

Does the mayor fail to understand that the business of government is to prevent favoritism, not to establish it?

The mayor fails to see that governmental "favor" is euphemistic for "graft."

While the mayor proposes to increase and correct the present illegal assessments of manufacturers, the correction will not be actual, it will be fictitious, on paper only. For he proposes, after having raised the assessment to lower the tax rate to manufacturers (to them only) so as to make the present illegal favor a legal one.

The mayor's declared object is not to raise revenue, but only to use the thereby increased but non-productive assessment as a basis for borrowing \$7,000,000—payable by posterity. In other words, the mayor proposes to establish a \$7,000,000 liability against posterity, but at the same time to cut off the natural means of collecting by taxation the usual sinking fund to extinguish that liability. He would violate that sound doctrine which for permanent improvements only may justify the contraction of public debt within reasonable constitutional limits, against taxable properties, productive of revenue sufficient to take care of the liability within a reasonable time. That reasonable time in Philadelphia is now thirty years. The mayor wishes to extend the period to fifty years.

Nobody questions the sincerity, the honesty, the public-spirit of the present mayor of Philadelphia. It is evident, however, that he has not given serious attention to the sources of public revenue.

The subject of taxation, with its simplification and improvement, is stirring all civilized nations. It received its strongest modern impulse from the mayor's own city, Philadelphia, when Henry George was born there. Before his time, Benjamin Franklin, Philadelphia's most eminent citizen, had anticipated George, had urged the single tax, and had lamented his inability to persuade the people to adopt it. And now, at a time when cities of Germany, Australia and New Zealand and the government of England are appropriating the "unearned increment," when a dozen

cities of Northwest Canada have abolished taxes on improvements, when even the recent provisional president of China is preaching single tax, the mayor of Philadelphia seeks new ways to tax and harass industry and to find airy bases for borrowing, which might well make seasoned gangsters sit up and take notice.

Philadelphia seems determined to throw away its public treasure, a growing unearned increment, the real commonwealth of every community. It turns to levying on private property for public purposes instead of using those common values. In the last analysis Philadelphia must either tax land values or labor values. The mayor revives discarded schemes to tax labor and its products, to tax debt, and to use abstractions as a basis for loans. As someone has said, the city is in the position of a millionaire throwing away his wealth and then seeking ways to borrow money to buy pork and flour.

It is reported that some members of councils' finance committee are in favor of adopting the mayor's program in its entirety. The report is not surprising. Councils had already approached the borrowing limit within \$7,000,000, and were afraid that increasing the tax rate would arouse public indignation. But presto! A reform mayor of manifestly honest purpose shows them where they had overlooked a few score millions of borrowing capacity, but shows them millions the city has little or no right to while ignoring the larger millions that belong to it.

The days of occupation taxes and taxes on money at interest are fast going the way of taxes on chimneys, windows and newspapers. But if Mayor Blankenburg has his way and does not alter his course, such taxes will fret Philadelphia for fifty years to come, for the mayor proposes to make their assessment figures the "basis for fifty year loans." He says he has other schemes to present later. Before doing so he should consult sound principles of taxation.

E. Benjamin Andrews has truly said, "Unjust methods of taxation have caused more misery in the world than any other one thing, the rum traffic not excepted."

While joining with all others in honoring Mayor Blankenburg for his many years of unselfish service for the public good, I trust that plain speech in a matter of utmost importance may not be considered as conflicting with that sincere respect which I hold for him and his record nor inconsistent with the confidence in his integrity of purpose which I entertain and wish cordially to express.

HOUSING AT THE LOS ANGELES CONFERENCE¹

BY JOHN IHLDER

Field Secretary, National Housing Association

THE Los Angeles conference of the National Municipal League combined with great success the two functions of such a gathering, a general discussion of problems which confront all our cities and a definite application of suggested remedies to the particular city in which the meeting is held. Because of the great prominence given to the second of these functions many of us felt that the Los Angeles meeting was of greater practical value than any other conference of recent years.

Unfortunately, however, the necessity for lengthening the program on Wednesday afternoon prevented those of us who were especially interested in housing from sharing in this practical benefit, as it was necessary for the authors of the two formal papers presented to hurry through them; and even then no time was left for discussion. Had it not been for informal discussions at other times during the week and for those impromptu conferences which are in some respects the most valuable feature of the League's annual meetings, we housing workers would have felt that our contribution was of little value. The two papers were in themselves merely introductory to an expected discussion which would have given their suggestions practical application.

The first paper was by John Ihlder, field secretary of the National Housing Association. It dealt with the need, under a democratic form of government, of volunteer citizens' associations which shall take the lead in organizing public sentiment; which shall when necessary, investigate abuses, suggest remedies and conduct campaigns of education; which shall uphold public officials who are endeavoring to enforce the law in spite of determined opposition from those who profit by its non enforcement or shall inspire zeal in officials who for any reason are inclined to wink at violations or evasion. What is everybody's business is notoriously nobody's business, and as everybody's business in a large city is a many sided affair there must be a number of citizens' associations, each devoted to one clearly defined field of work so that it may have the definite knowledge and the unity of purpose necessary to success. This is illustrated by the fact that in those cities which have volunteer housing associations

¹ This paper not only gives the gist of Rev. Dana W. Bartlett's paper read at Los Angeles but Senator Burnett's comments thereon. In addition to this the article is interesting in itself for the direct contribution it makes to the discussion of the highly important subject of housing.

or committees the most definite and practical progress is being made, while in those which have none the work of housing betterment either never has been taken up or if taken up has, after a short time lagged or gone off along easy and impractical lines where there would be no opposition.

The second paper, by the Rev. Dana W. Bartlett, of the Los Angeles Housing Commission, gave the local point of view. After an eloquent plea for a city of homes in contradistinction to a city of tenement houses, it touched briefly upon the very good work which the commission has done in raising standards in the "house-courts" where the Mexican peons live. Then it dwelt at length upon various schemes for model housing. One of the quotations used to enforce the plea for a city of homes deserves repetition as it illustrates admirably the new point of view of the English business man. It is a recommendation by their chief medical officer to the directors of the great Guinness brewery.

Until our families are given the opportunity of being comfortably and decently housed we cannot expect to do much in raising their social and moral standards. I, therefore, make bold to look forward to the day when a brewery model village is built where our people can obtain a small one or two storied cottage at a reasonable rent. That the tenement house system, except for the very poor who must continue to reside in the congested city area, is a retrograde step, I am strongly of opinion; such a system neither conduces to good morals nor a high social standard of living. The well paid laborer, whose earnings are constant, should be given a chance of having a self-contained house of his own; such a house can be made home-like, attractive and comfortable. In few cases is this possible in a tenement building.

"Admit," added Dr. Bartlett, "that the drift toward the city will never grow less, yet, if you have had a vision of the new city of the new democracy, you will concede that he who helps the workingman to build a real home for his family is helping to transform a serious menace into a blessing to humanity. Let us then ruralize the city and urbanize the country. Let us help to surround every city with a hundred industrial villages laid out as carefully as the suburban estate of the millionaire."

Then follow the plans which, as they must be summarized, had best be summarized in the speaker's own words:

To sum up, an adequate local housing program should contain provision for:

Erection of model house courts for those who must remain in the built up city, displacing entirely the usual type of tenement.

Carefully supervised California tent houses to be allowed for temporary dwellings or for invalids.

Encouragement of Los Angeles plan for selling building lots on small payments, thus making it possible for workers to own their own homes.

Extension and perfection of rapid transit with reasonable carfare that cheaper land may be within reach of all.

The maintenance of temporary shelter by the municipality on city owned land.

The development of an agricultural policy by the city that many of the poorest families may be fitted for a living upon the land.

Especial emphasis to be placed on the building of garden cities about every new industrial center, thus helping to make industrial life ideal rather than degrading.

Such are the proposals. It had been planned to have State Senator Lester G. Burnett, author of the California state tenement house law, lead the discussion. Fortunately a copy of Dr. Bartlett's paper had been submitted to him before the conference and he had written some comments upon it. "I have read Mr. Dana Bartlett's paper with interest," he wrote, "and it is very interesting from a humanitarian and, it might be said, from a theoretical standpoint, but it does not help a member of a legislative body such as a state legislature. There is no trouble in getting a legislature, at least the California legislature, to agree that great reforms are needed in the housing of the people. But then comes that question, so crude and which sounds so impolite, 'what are you going to do about it?'"

At this point it is necessary to leave the conference for a moment and describe in a brief paragraph the present housing situation in Los Angeles. In Los Angeles there is no citizens' association which takes an especial interest in housing. The Housing Commission, an official body, practically stands alone. Until some of its members became interested in promoting plans for garden suburbs it confined itself to the work of cleaning up the house courts which were a disgrace to the city. This work, which was largely in the hands of a salaried inspector, has produced good results. Meanwhile the San Francisco Housing Association, a citizen's organization called into existence by the plague of cheap and unsanitary tenements which began to afflict San Francisco after the fire decided to set wholesome standards for all multiple dwellings. It inspired the tenement house law which Senator Burnett put through the legislature last year. This law, while it marks a great step in advance, is admittedly not adequate. Yet Los Angeles, so far as it expressed itself at all, opposed its enactment. After the law was passed strong efforts were made by Los Angeles people to have it declared inoperative so far as that city was concerned. Meetings to protest against it were announced and the newspapers published statements as to the alleged injury it would cause tenement house owners.² To outsiders who had thought Los Angeles

² According to the *Los Angeles Express* of August 17, 1912, there have been erected in Los Angeles since the law went into effect approximately 235 tenement or apartment houses. Mark C. Cohn, chief clerk in the building department, is quoted as saying, "We received many complaints when the law first became effective, but

a city of homes such vociferous opposition to tenement house regulation was a surprise. So also was the lack of any public-spirited support of the law. Only one side was presented and that was the side of opposition. Finally, however, the city's legal representatives decided that the city would have to submit to the law.

With this history in mind I looked up the Los Angeles tenements during conference week. I found that probably the greater part of them are of the class called apartments, but that they overcrowd their lots and so promise dark rooms in the future as their number multiplies, that they are very frequently of flimsy construction and very infrequently provided with adequate fire escapes. Such tenements as these, with the inevitable shifting of population, will become shelters of the poorer people. Then Los Angeles will have a slum compared to which her old house courts were a jest. Yet I could find no organization and only a few individuals who were willing to face this immediate problem and try to devise effective means of solving it. Perhaps in that may be found the reason for Senator Burnett's query, "What are you going to do about it?"

At a luncheon meeting held during the conference week Dr. Bartlett described at some length the plans for a garden suburb in which he is interested and for which some \$15,000 have been subscribed. The next speaker described the existing tenement and apartment houses and the apparent reluctance to regulate them so as to safeguard the health and lives of their inhabitants. Then turning to Dr. Bartlett he asked, "Suppose you succeed in building your garden suburb, suppose you populate it with workingmen's families each living in a little cottage surrounded by lawn and yard. As the city grows and pressure of population increases some one will figure out that these cottage lots would bring in a greater return if covered with tenement houses. How are you going to prevent his acquiring these lots and erecting on them multiple dwellings just as bad as those now being erected in other parts of the city? In other words, what does this proposed garden suburb promise more than a temporary

the objections have disappeared almost entirely. Of course there are some provisions of the law that could be made less ambiguous, but as a whole the measure has been a success."

Later, on September 18, the Los Angeles *Examiner* published a long interview with the city building inspector in whose hands the enforcement of the law has been placed. In this interview Mr. Backus is represented as opposed to a repeal of the law, but as advocating certain changes in it, some of which would weaken it. The important point, however, is that Los Angeles, having accepted the law much against its will, is now beginning to find that regulation is a positive benefit. Were there only a strong citizens' organization in Los Angeles definitely interested in housing betterment, it could take advantage of this change of view and work for higher standards—and consequently greater benefit to the city—than those now set by legislation.—J. I.

alleviation, ending in the venture being finally taken over by the speculative tenement house builder?" Neither then nor later did Dr. Bartlett answer. For the answer is, "We would regulate the use which may be made of this land." Then would follow the question, "Why not regulate now in those parts of the city where bad conditions are developing? The tenement house evil in Los Angeles is today in its early stages. Why not grapple with it now when it is comparatively small and so assure a city in the future which really is without tenements and without slums, instead of a city composed of a ring of garden suburbs about a constantly expanding core of unwholesome tenement houses?"

Were such proposals as those of Dr. Bartlett confined to Los Angeles there would be no purpose in retailing this discussion in such a publication as the NATIONAL MUNICIPAL REVIEW; but unhappily they are not. In city after city as it awakens to the fact that it has a serious housing problem there are men and women whose consciences will not permit them to remain inactive, but who instinctively seek some easier method than that of squarely facing the problem as it exists. "If," they argue, "we provide better homes the workingmen will leave the unwholesome tenements and the problem will settle itself." But unfortunately bailing does not stop a leak. The places of those who leave the tenements are taken by others and as semi-philanthropic building never yet kept pace with the growth of a prosperous city, new tenements are erected to supplement those already strained beyond their capacity.

Yet the projects advanced by Dr. Bartlett sound so attractive and some of them considered by themselves, not as a solution of a city's housing problem, are so good, that they call for brief comment. First is the erection of model house courts to take the place of the usual type of tenement. The house court can be made not only sanitary, but also most attractive. Los Angeles has some examples in which houses rent for \$25 a month that would excite the admiration of any housing reformer—clean, quiet courts bordered by a double row of tiny one and a half story detached cottages of three or four rooms and bath. Though these cottages are very close to each other they are so low that sun and air can enter all their windows and they leave space for grass and flowers. But while Los Angeles permits the erection of cheap frame or other flimsily constructed, tall, box tenement houses which cover nearly all their lot, it is difficult to see how good house courts can compete at low rentals.

The proposals for tent houses and for temporary shelter provided by the municipality on city owned land, instead of helping to solve one problem will probably raise two others. San Francisco's experience with temporary shelters for several years after the earthquake should be answer enough to the second proposal. As for the tent or the shack, it may be a sufficient shelter from the weather in Southern California. It may,

when it stands alone in the woods or on the seashore, be an admirable place for a family to spend a few weeks; but a tent or shack community is a different proposition. With the crowding of people together there arise questions of sanitation and morality. The tent or shack town does not provide that privacy which is necessary to a wholesome family life. The walls of a tent are less barrier to sight and sound than the thin walls of our eastern tenement houses, against which social workers find such cause for complaint. For it is to be remembered that the inhabitants of this tent town will be, not a group of people with high social standards who are temporarily roughing it, but the expected horde of European immigrants whose vanguard is already creating some serious social problems in Los Angeles. Nor can it be argued that these tent or shack towns are to be merely temporary affairs, as Dr. Bartlett does in connection with his third proposal of encouraging the selling of lots on small payments, "thus making it possible for the workers to own their own homes." Outside of many of our older eastern cities there have developed just such shack towns and most of them began with the idea that they were temporary shelters. The Canadian government last year published an address by Dr. Charles A. Hodgetts, medical adviser to the committee on public health of the Commission of Conservation. In this address Dr. Hodgetts described some of the shack towns on the borders of the newer cities of the Dominion. Intended for the temporary accommodation of newly arrived immigrants they often became the overcrowded, permanent homes of a foreign population which pays exorbitant prices for the accommodation it secures. Such a colony is that at Sault Ste. Marie: "This colony is crowded into a lot of miserable shacks, filthy both outside and inside; no cellars, no drainage, closets on the surface of the ground, vile beyond description," etc.

As to the plea that the erection of a temporary shack will permit the workingman to gradually build his own home, Dr. Hodgetts again presents evidence:

"Should the married man live in the suburbs, it is perhaps in a shack town, the whole family being crowded into one or two rooms intended to serve as a kitchen annex to the house he hopes to build. His great expectations are slow to materialize and frequently he, or some other member of his family, dies in the making of a home, victims of unsanitary housing. This is an example of the working man being the victim of land speculators whose sugar coated offers have led him to launch out on a scheme of housing which they knew well it was difficult for him to carry to a successful issue. The man has paid too heavily for his land and finds the cost of building plus the interest and annual payment a greater burden than he contemplated."

Three other schemes Dr. Bartlett presented:

1. "The extension of rapid transit so that cheaper land may be within the reach of all." Now the extension of rapid transit is, unquestionably, on the whole a great benefit. But it must not be forgotten that while rapid transit makes greater areas accessible to people living in the center of a city, it also makes the center of the city accessible to people living over greater areas, and so in a very decided way tends to increase pressure of population as well as to decrease it. Moreover ease of locomotion and a cheap fare are not the only factors for the laboring man. Time spent in going to and fro is also an item of importance. And last, rapid transit never yet prevented the development of tenements, the use of cellar dwellings, etc., near the center of the city. The bad conditions in Los Angeles—or in Boston—can frequently be matched in cities so small that one can walk across them in half an hour, or even in the laborers' sections of the wealthiest and most beautiful residence suburbs of New York and Philadelphia.

2. "The development of an agricultural policy by the city so that many of the poorest families may be fitted to earn a living on the land." This, it seems to me, is very far from the question under consideration. We are considering, not how to get rid of a fraction of the city's population, but how to house city wage earners who propose to earn their living and make their homes in the city in constantly increasing numbers.

3. "The building of garden cities about every new industrial enterprise." This is a most excellent proposal and if practical measures are taken to carry it into effect it will do much to prevent the development of new slum areas on the outskirts of our industrial cities. For, of course, it can apply only to plants which locate outside of the already built up area. The large proportion of new enterprises which take buildings in the old section of town and by adding to the labor market in those sections increase the crowding of population there could not possibly be affected. But there seems to be a growing tendency on the part of manufacturers in certain lines to move their factories into the suburbs and the country. The advantage of this in many ways is obvious—cheaper sites, lower taxes, more room for expansion and for better planned and better lighted buildings. If to these can be added other advantages the wholesome movement away from congested districts will be accelerated.

But this involves forethought, careful planning of details and coöperation among all the agencies which control the city's development. The new industrial suburb must be convenient to railroad or water transportation, its drainage must be good if it is to provide wholesome sites for homes, its street system, its sewers and its other public services must be planned so that they may at once or in the future when the city grows out to it, be made an integral part of the city's system. And perhaps as difficult, certainly as important as anything else, the men who head these new

industrial enterprises must be convinced of the wisdom of such planning, which probably will cause greater initial expenditure and may result in deferred if ultimately greater profits.

Such garden suburbs, however, do not present a solution for the already existing and steadily growing housing problem of Los Angeles and every other American city, for they effect but slightly and indirectly the conditions in the older built up sections. To amplify Senator Burnett's question, "What are we going to do about existing evils? What are we going to do to prevent the continuance and the spread of these existing evils?"

I would answer by asking another question: "Is there any way except by setting a minimum standard for every habitation in the city and enforcing that standard?" Small houses with open space about them cannot compete financially with rows of tall, flimsily built, box tenements that fill their lots though to the community which must directly or indirectly pay the bills for preventable deaths, sickness, immorality and inefficiency, the tenement is considerably the more expensive. But if a legal standard is set and enforced so that the tenement houses have light and air in every room, so that they provide for proper sanitation, so that they safeguard their inhabitants against danger from fire, so that they assure some degree of privacy, so that they are decently maintained, then the good, small house can, in nearly all of our cities, successfully compete against them. And in that lies our hope of keeping the traditional American home.

SHORT ARTICLES

THE THEORY OF THE NEW CONTROLLED-EXECUTIVE PLAN

THE RECENT adoption by Sumter, S. C. of a new type of commission plan of government with the appointive city manager, is important. It is the first time in the United States that a municipal chief executive has been made appointive and put under continuous control instead of independent and under intermittent control.

Pending the appearance in America of this principle, the short ballot movement was headed for a stone wall. For in demanding the reduction of the mischievous multiplicity of elective offices, we are met by the question "what offices would you make appointive and who would appoint them?" The natural and easy answer is to follow the tendency of the times and advocate casting all appointive power on the nearest chief executive. In New York State, for example, the New York Short Ballot Organization has presented constitutional amendments to the legislature, the effect of which is to give the governor control by appointment over the rest of the state ticket, namely, the secretary of state, state treasurer, attorney general, comptroller and state engineer and surveyor. It is easy to point to the parallel of the United States government for justification, or to the state of New Jersey.

The matter of safeguards on the appointing power is brought up. The politician takes it for granted that the state senate will have power to confirm or reject the appointments of the governor. The New York amendment, however, recognized the fact that the senate habitually utilizes the power of confirmation to accomplish a theft of the whole power of appointment. Forthwith, the responsibility of the governor for the appointments becomes something of a myth, and public control is baffled by the inability of the people to know whether it was the governor who made a given appointment, or some senator. For while the number of rejections by a senate may apparently not be large, the real number of rejections is very large indeed. The governor may not even informally ask the senators, or the boss who rules them, if this or that nomination will be acceptable, knowing well the limitations which the politicians will set upon him.

The history of the president's appointive power and its constriction by "senatorial courtesy" show evils similar to those in New York state.

Likewise, in cities where the council must confirm the appointments of the mayor, an interchange of authority occurs and the council soon controls the patronage without the corresponding responsibility.

With such cases in mind, the New York Short Ballot Organization drafted its amendment so as to give the governor power to appoint these minor state officers, without confirmation, and with power to dismiss at pleasure. The amendment, consistent with this principle, went beyond the offices which are now elective and made the governor's power of unconfirmed appointment complete throughout the whole administration, so far as the constitution was concerned.

The mayor of New York City has similar power over all the department heads. He may appoint and remove without oversight by anybody, and this is considered one of the most modern and progressive features of the charter.

The National Municipal League's model charter conferred this absolute power on the mayor.

This is the present orthodox principle among reformers. The purpose is to clear the lines of responsibility from all entanglements; to make it impossible for an official charged with neglect to say "It wasn't my fault;" to get single-headed government instead of many-headed.

The opposition promptly complains that this is over-concentration of power. The politicians, fearful of the appearance of any machine except their own, argue that the chief executive would use his enlarged patronage to build up a new machine. Of course, we answer that a new machine once in a while by way of variety, might be a good thing and that we would have the boss of the new machine right where we could hit him full and square.

Nevertheless, it is my belief that there is a measure of soundness in the opposition to uncontrolled appointive power and that we must eventually give to the opponents of it a better answer than to say that it is at least better and safer than the confirmation plan.

In no other democratic country do the people subject themselves so to the mercies of individual caprice as we already do. And, as I have shown, reformers are ready to carry it still further. In many of our cities it may fairly be said that the mayor holds half the city power within his personal grasp. Certainly if we take into account his ability to misuse patronage and veto like chessmen, the mayor comes pretty near being a majority in many of our city governments. In this matter we are unique among the nations, and it is curious that a country which appears most afraid of a strong government, and in which the Jeffersonian idea appears dominant, should be the one in which single individuals are entrusted with greater uncontrolled power than anywhere else in Christendom.

An instance of the dangers involved is New York City where the mayor recently had it within his power to upset the subway situation whenever he pleased, and frequently it seemed to the people of the town that he was likely to do so. He expressed opposition to what he called "cornfield

routes" for subways and wanted the new tubes built where there was already the greatest number of passengers. If that one man had happened to be impervious to argument, future generations in New York City might have been condemned to live upon an insignificant fraction of the land which lay within a few miles of city hall, with congestion piled on congestion, instead of congestion being relieved by the opening up of new spaces.

Similarly, the mayor of New York was charged with responsibility for an epidemic of crime, by reason of his causing sharp punishment of policemen who ventured to use their clubs. Matters reached a point where a gang of toughs could successfully forbid policemen to pass beyond the corner of a certain carbarn.

After the terrible Asch factory fire in New York, two important bills aiming at fire prevention, came before the mayor for acceptance. One represented the best thought of the public spirited citizens of the town and the most careful draftsmanship. The mayor, without giving anybody a chance to explain, rejected it because he thought his pet enemy, Hearst, had prepared it, and proceeded to sign the inferior measure.

Whether my statements are just to the mayor or not, it is obvious that things fully as serious as this are easily conceivable, and a plan of government which permits the whims or failings of a single man to swing such vast interests, even temporarily, is not thoroughly sound.

The chief ground for complaint against the uncontrolled-executive plan is, however, not its perilous strength, but the fact that the presence of these obvious perils compels us to withhold from our administrators the powers they need. They need not only complete undivided appointive power, but power to use their own discretion, power to make new rules, as they go along, to fit new situations, power to be agents instead of dummies of the law's minutiae.

Our municipal, state and national legislatures now must undertake to control by continuous and detailed legislation a multitude of highly technical matters which ought to be left to empowered administrative experts. The legislatures cannot safely delegate their powers to administrators because they cannot hold the administrators answerable for results and subject to punishment.

The New York city government undertakes to prevent such holocausts as the Asch fire. There is a new fire prevention bureau, placed according to current orthodox theories, under the mayor's single control. The fact that the mayor is independent and uncontrolled makes it impossible to confer the vast necessary powers upon the fire prevention bureau without running the risk that those vast powers may be used improperly under a weak or opinionated executive, in which case there would be no appeal and all hope of reform must be hazarded upon the personality of the next mayor.

Another great and vital feature of local legislation in New York City is the building code. At present the aldermen make it and the mayor approves and administers it. The present method has developed great scandals and the code is chronically out of date and unfair to business and costly to the people. The right method would be to have an appointive administrative building code board, served by an expert bureau and empowered to enact the code and keep it up to date and enforce it. If we attempt this at present we have three unhappy alternatives: (1) To let the mayor have the whole responsibility for the building code board with right to dismiss the members and appoint new ones at pleasure. This overstrains our willingness to depend on the wisdom of one man. (2) To let the mayor appoint, subject to confirmation by the council. This forks the line of responsibility and the principle has proven mischievous in practice. (3) To let the mayor appoint the building code board but give the members long terms in rotation so that no one may or can alter a majority of the board in his term. This puts power beyond prompt popular control, prevents the retrieving of mistakes in appointment, and delays and baffles attempts at improvement as well as attempts at corruption. Thus Governor Wilson has been almost impotent in certain important matters which he was elected to carry through in New Jersey, because certain of his so-called subordinates have protected tenures and silently defy his efforts to install new methods. The people cannot be expected to analyze his excuses and and duly hold him blameless. He has no redress and neither have the people and there is nothing to do but wait for the years to roll round before reform can be effected. Power ought not thus to be delegated beyond control of responsible representatives of the people.

The recall puts a touch of flexibility into the plan of electing independent chief executives. So far as the recall goes, I favor it. But it is at best, clumsy, unwieldy and expensive. The horse needs a hand on the rein. It is not always wise to give him his head and then unhitch him and buy another horse if he turns off the road to nibble the grass.

Upon a state legislature or a city legislature, i.e., a *group* of men who act in group, we willingly confer greater powers than we dare give *one* man, and all these large powers can, without diminution, be boldly and flexibly administered through a *controlled* chief executive.

Such is the new office which has just been created in Sumter, S. C. The new charter of this little city (10,000 population) modifies the commission plan by making the commissioners act as a board, never singly, and perform all executive work through an appointive city manager, who holds office subject to their pleasure. The city manager may be hired from out of town and is simply the expert servant of the commission.

Suppose New York adopted this plan by enlarging its present board of estimate and making it a supreme board of directors with no other elective

officers to detract from its authority. That board of directors could hire a chief executive to carry out all its orders in proper co-ordination. There could be under this continuously controlled executive a building code board and a fire prevention board, for instance, to which could be safely sublet all the powers necessary to the proper regulation of buildings and the prevention of conflagrations. Then the public would have the right to disregard all details and simply hold the directors responsible for results.

After the Asch fire nobody suffered politically except George McAnney, the borough president, and he was not responsible at all. But if a building burned and people died in it the public could with perfect justice demand of our proposed board of directors—"What did you let this happen for? You had plenty of power to prevent it!" And the directors, apologizing, would turn privately to their city manager and repeat "What is the reason? Did you appoint real experts or amateurs on that fire prevention board? Didn't you have inspectors enough? Or money enough? What do you need to prevent another fire?" And the manager, fearing lest he lose his job for having thus gotten his superiors into trouble, will tear things loose in the fire board to locate and punish the cause of the inefficiency and see that proper new provisions are made to prevent forever the repetition of any such disaster.

We cannot secure such a condition now because we dare not give to an uncontrolled executive such vast administrative discretion.

The controlled-executive plan filters everything through a group. It reduces the personal equation. Without loss of administrative unity, it abolishes one-man power. A single man may have his ups and downs, his freaks and fancies, his militant points and his passive ones, his natural bents and moods, his pet departments and projects. A board, or commission, or council, or parliament, has none of these things—to a group such excesses are relatively impossible. Even if all the members were cranks, their combined judgment would be reliable—they would neutralize each other.

This plan corresponds to the general manager under the board of directors in a business corporation. It gives the stability of the combined judgment of many men on matters of policy, but leaves execution to a single-headed controlled executive establishment.

The controlled-executive plan goes far beyond the recall of the mayor. Its executive can be bounced out of office in less time that it takes to print the blanks for a recall petition.

There are many other weaknesses of the independent executive plan of government, all of which are corrected by the controlled-executive idea. I will simply name them.

1. The independence of the executive destroys continuity of the administrative policy. One mayor is a crank on finance and taxes, and devotes

his attention to improving those matters, to the neglect of other departments which do not interest him. His successor leaves the financial reforms uncompleted and follows his own hobby of parks and schools.

2. Election of administrators is unsound in principle, for the choice of an administrator is no more a natural popular function than the choice of an engineer or a landscape architect. Administration of modern cities is an expert's job and the best experts are not necessarily good vote-getters.

3. The independent executive constitutes a separate city government and the attempt to compel him to work in harmony with the other "city governments" creates a costly and cumbersome mass of red tape. The council, for instance, in appropriating funds for the mayor to spend, will try to regulate the details of the expenditure, thus perhaps compelling what later in the course of the expenditure may be found to be extravagance or unwise economies or misdirected work.

4. The independence of the executive destroys unity in the government. A city ought to have one government, not several. Pulling and hauling, deadlocks, friction and delays, trading of influence and the need of a boss to hold the ramshackle together and make it progress—all result from two-headed government.

Putting a chief executive under continuous control of a responsible group of men abolishes these evils. A moment's reflection will show that it is the universal plan in corporations and in all associations employing paid servants. It is likewise a standard plan in governments outside of the United States.

In foreign countries the parliament elects and controls the prime minister, who in turn controls the administration. The magistrat of a German city, with general power of appointment over the whole administration, is hired by the council and subject to continuous control by it.

I believe the best way to go about getting this idea into practice is by giving encouragement to the wide spread adoption of the Sumter plan. This plan, if successful in cities, will in time, spread to counties and even to states.

RICHARD S. CHILDS.¹

WOMEN AND LOCAL GOVERNMENT IN THE UNITED KINGDOM

THE general opinion in the American mind, relative to the English women's position in politics, has been narrowed down to a militant activity conducted on the plan of "might is right." The fact that women in England, Scotland, Ireland and Wales have been giving excel-

¹ Secretary, National Short Ballot Organization and member executive committee, National Municipal League.

lent service in political positions, for an extended period is one with which the average person is not acquainted.

It is not the intention here to rehearse the history and growth of the "women's movement" in these countries, but to give a brief outline of one, through which women in the United Kingdom are participating in matters of national importance, namely: The Women's Local Government Society, with headquarters at No. 19 Tothill Street, Westminster S. W. The officers, council and executive committee show the strength of the organization, which is headed by Lady Strachey, president; Countess of Aberdeen, Miss Louise Twining, the Rt. Hon. Lord Courtney, Miss Cons, the Lady Frances Balfour, the Rt. Hon. the Earl of Meath and Mrs. Cobden Unwin, vice-presidents; Miss Leigh Browne, honorable secretary, and Lady Lockyer, honorable treasurer.

It had its beginning as a "committee" only, formed in 1888, to secure the return of women to the first London County Council. Contrary to expectation, it survived, through varying fortunes, until January, 1893, when it "was reconstituted on a permanent basis, with the enlarged object of securing the eligibility of women to all local governing bodies."

The threefold object to promote the removal of all remaining legal disabilities of women in respect to local government, to promote the participation of women in local government, both as administrators and as officials, and to promote among women the study of their duties as citizens in respect to local government, would at first glance suggest a suffrage platform. This question, however, does not come within the scope of this society. It is independent of political parties and its aims and work are not to be confounded with those of societies concerned with getting the parliamentary vote for women. It does not seek special privileges for women in local government legislation.

Through the formation of local organizations, meetings, and the publication and distribution of special literature, it educates public opinion and promotes bills in parliament in furtherance of the object of the society. It watches all bills dealing with local government. It assists in any cases which seem to involve a danger of creating a precedent for the imposition of any fresh disability on women in respect to local government.

While the society has official correspondents in each Parliamentary district, the formation of local organizations, on a non-partisan basis, is one of the most valuable mediums through which interest is stimulated and effort developed. In this connection special stress is laid upon the fact that local conditions must govern the promotion of the candidature of individuals. Each locality must support its own candidates. The society does not undertake to do this from the central office. In addition to the branches there are now upwards of thirty organizations affiliated with the society.

The most important activity of this society has been the effort centered upon the local government qualification bill (for England and Wales) to *extend* the qualification for being elected on county and borough councils. By a provision of the local government act, October, 1894, a residential qualification is made alternative with the electoral or voting qualification for the purpose of enabling men and women to sit on boards of guardians, district and parish councils. The effect of this bill was to greatly increase the number of women guardians, a large percentage of whom were married.

In 1907 an act was passed to enable women to be elected and to serve on county and borough councils in England and Wales (known as the qualification of women act). It provides that "a woman shall not be disqualified by sex or marriage for being elected to or being a councillor or alderman of the council of any county or borough (including a metropolitan borough)." The operation of this act is restricted by the qualifications which by other statutes are required of all candidates for election to the above-mentioned councils in England and Wales. A resident within a borough or county who is "enrolled and entitled to be enrolled" on the burgess roll or the local government register is qualified for election to a borough or county council.

It is only as an occupier that a woman, either owner or tenant, can claim to be placed on the register as an elector. Every person is an occupier who occupies a dwelling house, or part of a house as a separate dwelling (even only one room) *provided the landlord does not, as landlord, reside in the house*: irrespective of the amount of rent. The same term applies to every person who occupies land, or business premises of the clear yearly value of not less than £10 or possessed of property of an amount in accordance with the local requirements for a councillor and who resides within the county or within fifteen miles of its boundary, or, in case of the municipal borough, within seven miles.

From this it follows that a woman, single or a widow, who is enrolled under these qualifications is entitled to be a candidate for election to a county or borough council.

Two or three persons sharing the same dwelling, or the same land or business premises may claim as joint occupiers, provided the tenancy is joint and that the clear yearly value, when divided, amounts to £10 for each person claiming.

Husband and wife cannot claim as joint occupiers but, by the local government law of 1894, they may both be registered *provided they are not qualified in respect of the same property*. Such registration will entitle married women to vote in the election of district councils (rural and urban), parish councils, boards of guardians, and since 1900 for the London County Council, but not for town councils nor provincial county councils.

Married women are barred from sitting on town or provincial county councils because they lack the qualification of the right to vote for such councils.

No woman owner has any right, by virtue of her ownership, to vote in any local election. No woman lodger can vote in any local election. For women there is no service franchise, namely, no occupation of a dwelling as an official or servant (for example, as matron or caretaker) entitles a woman to be placed on the register. For neither men nor women is there any ownership franchise, lodger franchise or service franchise for town council elections or for county council elections outside of London.

In the metropolitan borough councils, it is a sufficient qualification to be a parochial elector, and by the local government act married women can be parochial electors under the same provision that applies to registration. Women owners, women lodgers, and women who but for their sex might be "service voters" cannot be parochial electors. For eligibility to metropolitan borough councils there is, however, an alternative qualification, which is absolutely equal as between men and women, viz., residence within the electoral area for the twelve months previous to the election. For the county of London a special act was passed in 1900, which assimilated the county council and metropolitan borough council franchise by enabling parochial electors to vote in the election of London county council in the same manner as county electors. This permits of the eligibility not only of single women and widows, but of married women who have an occupation qualification *separate* from that of their husbands.

In Scotland franchise or voting qualifications, defined generally, include: Household franchise, occupant (as owner or tenant) of a house, regardless of value.

Service franchise, servant occupying dwelling house in virtue of service; ownership franchise, owner of rentable property (i.e., house land or tenement) of a certain annual value; occupancy franchise, occupant (i.e., tenant) of any land or tenement of a certain annual value; lodger franchise, lodger whose lodging in an unfurnished condition is of a certain annual value.

The Scotch local government act, 1894, which provides for the registration of qualified married women in the county and municipal registers, and the Scotch qualification of women act, 1907, enables all duly qualified women to become members of local bodies. For all local government elections there is a single register for men and women on the same terms. The women who can be chosen as town councillors and county councillors must be householders, owners, tenants or occupants of property worth £10 annually, all their local rates must be paid, and their names must appear on the voters' roll. Marriage is no disability, provided that both husband and wife are *not* qualified in respect of the same property.

It remains but to secure the passage of a bill that will provide a residential qualification that shall be alternative with the electoral qualifications for candidates for county, town and parish councils in Scotland.

The Irish local authorities (qualification of women) bill, enacted December 16, 1911, has removed the women's disabilities in local government and enables them to be elected and act as members of county and borough councils in Ireland. It extends to Ireland the enabling provisions of the qualification of women's acts passed in 1907 for England, Wales and Scotland.

The disability of marriage is not an established disability, nor everywhere prevalent, even in England and Wales. There is a division of opinion on this subject and the question has not been authoritatively settled. Some revising barristers hold that by necessary implication, the act of 1907 did enable married women to be elected to those councils. The Birmingham court ruled in favor of this interpretation and a married woman was elected in November, 1911, to the Birmingham city council. With this exception, and a possible one or two others, all the women serving on councils and boards are unmarried and widows.

In March, 1912, the Women's Local Government Society reported that in England and Wales, there were 3 women serving on county councils, 17 on town councils (2 of whom are mayors), 8 on urban district councils, 145 on rural district councils, and 1175 women who have been directly elected or "co-opted" as poor law guardians, in addition to the 145 women rural district councillors who act as guardians for the unions in which their districts lie. The number of parish councillors has not been definitely ascertained. In Scotland there are 2 women serving on town councils and 44 on parish councils.

In Ireland there are 3 women serving as town councillors, 4 as urban district councillors, 44 as rural district councillors, together with 66 who have been directly elected or co-opted, making a total of 110 women guardians.

Each year, since 1907, attempts have been made to widen the range of the qualification act, and remove the existing irregularities, by the introduction of a bill that would provide a residential qualification for candidates (men and women) for county and town councils, to be alternative with the established electoral qualification.

The second object of the society, to promote the participation of women in local government, is regarded as of no less importance, owing to the valuable opportunities for local work in the promotion of the public health through the administration of the national insurance act, a measure for national health insurance and for unemployment insurance. Several provisions which follow give some idea of its scope:

An insurance committee shall make such reports on the health of insured persons within the county or county borough for which it is formed, as

the insurance commissioner, after consultation with the local government board, may prescribe, and shall furnish to them such statistical and other returns as they may require.

An insurance committee may make to the commissioners such other reports as it may think fit on the health of such persons and the conditions affecting the same, and may also make suggestions with regard thereto: and the insurance commissioners shall forward such reports, returns and suggestions to the councils of the counties, boroughs and urban and rural districts which appear to them to be affected by or interested in the matter.

An insurance committee shall also make such provision for the giving of lectures and the publication of information on questions relating to health as it thinks necessary or desirable, and may, if it thinks fit, for that purpose make arrangements with local education authorities, universities and other institutions.

In the case of "excessive sickness" among insured persons, an insurance committee, and even an "approved society," is empowered to claim repayment from the party deemed by it to be in default, if, in its opinion, such excess is due to bad housing or to unsanitary conditions, to an insufficient or contaminated water supply, to neglect on the part of any person or authority to enforce the provisions of any act relating to public health or the housing of the working classes, or to neglect to observe or enforce any public health precautions.

There are two offices for health purposes open to women: health visitors and sanitary inspectors. Most of the "health visiting" in London is done by women who are qualified as sanitary inspectors. That this service be even more satisfactorily performed, the society deemed it advisable that the health visitor should have the training of the sanitary inspector, to be enabled to detect unsanitary conditions as the office carried with it no authority to do more than report a case that might be a matter of life or death, due largely, if not wholly, to surrounding conditions. The supplemental qualifications for "suitable nursing" added to the requirements for a sanitary inspector, would combine the office and powers, save time, and a duplication of visits.

The utter disregard of this matter, the slender minimum of preparation for the duties and the indeterminate qualifications of the health visitors, as contained in a bill introduced in 1911, brought a realization of the opportunity to jeopardize the high standard of work hitherto maintained. The society and many of its associates worked very diligently against this bill and succeeded in having it withdrawn.

The unsatisfactory provisions for visitation and supervision of children, by the poor guardians, as contained in the boarding-out act, was made the subject of some organized effort which eventually had its sequel in a new order issued by the president of the local government board in December, 1911. It contained materially all the suggestions presented by the Woman's Local Government Society, relating especially to the coöperation of the women as inspectors and members of the boarding-out committee.

There are a number of matters of more or less executive and active character that keep a large force of women engaged in the work of this organization. The elections and appointments may be mentioned as of paramount importance, especially considering the responsibility of selecting qualified candidates who are willing to serve.

The number of meetings and speakers alone suggest considerable time and thought on the part of officers and laymen. The printing and distribution of at least nine different kinds of pamphlets, leaflets and reports, bespeaks an active committee on publications.

There is a strong sociological current in the efforts of this society that underlies the motive to gain control in such offices as that of county and town councils.

It is no new thing that politics must be the medium through which men and women coöperate on commonsense, broad-minded lines in public matters that find their origin in the fabric of the home. The omnipresent questions that come up in everyday life, such as sanitation, housing, food inspection, public baths and libraries, recreation grounds, factories, workshops and employment, together with child welfare from the cradle to the factory, form the program of practically every councilmanic body in the civilized world. The Women's Local Government Society emphasizes the importance of having women share in this work if they would have it well done.

Poor guardians by any other name have the same difficulties to surmount in the care and administration of the affairs of children that are boarded-out in private homes. The very nature of the work which affects the life, health and morals of these children makes it worth while to secure seats upon the boards of control.

The association with other organizations in large meetings, as for instance the Council of the National Union of Women Workers of Great Britain and Ireland, the Work Conference on Prevention of Destitution, the meetings of the National Association for Women's Lodging Houses contribute to its influence and round out the efforts of the Society, which comprehends the United Kingdom for its field of labor.

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THE NEW YORK SCHOOL INQUIRY

A VIOLENT controversy has broken out in New York over the investigation of New York schools authorized by the board of estimate and apportionment. Concerning the scope of this inquiry and controversy Charles P. Howland, president of the Public Education Association of New York has made the following statement:

The school inquiry committee of the board of estimate, in its comments accompanying the Moore report, and subsequently, evidently has the feeling that Professor Hanus, who was engaged to make the inquiry, and the associates selected and employed by him were to do no more than obtain data or statistics on so-called "facts," which they should report to the board—in other words, that they individually occupied a position similar to that of the commissioner of accounts, who may from time to time be directed to investigate a department.

This view of the functions of such experts and of such an inquiry appears to be at the bottom of the whole controversy over the Moore report, and it seems to us to be based on a misconception of the fundamental value of such an inquiry.

When the school systems of Brooklyn, New York, Staten Island, etc., were combined by the greater New York consolidation, no fundamental reorganization of the system took place, or adjustment to the needs of the larger city. The city has continued to grow, and the pressure of day to day needs has prevented any investigation into its fundamental advantages and defects, or the creation of any sound basic policy.

Dr. Maxwell has asserted that many of his measures were adopted with a view toward such a policy, and his numerous critics have attacked his measures and himself also as producing exactly a contrary effect. It is unnecessary here to detail the charges against the structure of the system or his administration of it; it is well enough known to the public that fierce controversies have been going on for years.

The board of estimate, therefore, decided to institute an investigation into the entire school system. The project was hailed by the public with the utmost enthusiasm. Though the plan was proposed and put in motion by the body which is in charge solely of the financial needs of the school system, nevertheless, the existing conditions demanded an inquiry on much broader lines not limited to financial or political aspects, but as comprehensive as the system itself.

The public—and we think legitimately—expected this, and the engagement of one of the foremost educators in the country, Professor Paul Hanus, of Harvard, from beginning to end, conceived that to be his function, and the public and the press during the conduct of the inquiry have always understood this as its nature.

An insistence by the school committee of the board of estimate upon the opposite and technical view will leave the public demand for an inquiry into the value of its school system, educationally considered, entirely unsatisfied, will reject the most valuable parts of the entire Hanus report, to wit, his educational conclusions, and would also frustrate one of the most important parts of the inquiry, the proper relation of the board of estimate to the board of education considered from the educational point of view.

Now, at some stage of the preparation of Dr. Hanus's report, and while the sections prepared by his various associates are being gone over in galley proof by the committee of the board of estimate, as well as by the educators, there suddenly appears in the newspapers "publicity matter" condemning the Moore report as valueless, presenting an effort at evidence in that direction, together with excerpts from some of the correspondence and other statements derogatory to Professor Moore for his personal conduct in the whole matter. This "publicity matter" was accompanied by a printed pamphlet containing some twenty thousand words, widely circulated.

As the Moore report was not published in any form available to the public, this procedure naturally produced a complete mystification as to its contents and their value, and its purpose could have been defensive only.

If the Moore report contained valuable matter in which the public might take an intelligent interest, this treatment of the report was to offer the public less than a shadow of its demand.

If the public view of the inquiry as something transcending departmental investigation was the sound one, why not give it that which it had a right to expect and let it judge of the value of the result achieved?

If, on the other hand, this was only a departmental investigation conducted by the board of estimate, why did not that body quietly reject the report, instead of taking the public so extensively into its confidence by a comprehensive attack on Professor Moore and his work?

We have no brief for Professor Moore or for his report; doubtless two views of it may be entertained, and doubtless also these views will differ according to one's study and experience with the problem of city school administration.

Some presumption should be accorded to the soundness of method and accuracy of result of Professor Moore's work, at least to the extent of giving it a dispassionate consideration. What treatment of this kind it may have received during the period in which it was under discussion between the committee or any agency the committee may have seen fit to employ and Professor Hanus and Professor Moore we cannot completely say, but it is our opinion that an approach to Professor Moore, based on the 223 questions which were addressed to him in one communication, was not calculated to achieve a constructive result. From the point of view of the educational expert these questions were not intended to elicit "facts," but were in the nature of hostile cross-examination, badgering in tone, and sometimes offensive in their implications.

The public cares nothing for the right or wrong on the personal side of the controversy over the Moore report, and that is now regrettable history. But it does very much care for an authoritative appraisal of a school system by the persons who, gathered from the most important educational centres of the country, have been a full twelvemonth minutely scrutinizing the system, and it does not wish to see the results of that scrutiny wasted by conflicts between individuals or official bodies.

We believe the public properly takes the view—as Dr. Hanus and his associates most certainly do—that the Hanus report is to be taken as a unit, and attains its full value only when regarded in that way; that the rejection of any part of it dismembers it, throws the remaining parts out of proportion and leaves an important field of inquiry untouched. This

view is reasonable in itself, but it may be noticed that this sort of inquiry (though never so extensive) has been conducted before, notable in the school systems of England, and that Sir Michael E. Sadler's reports upon his investigations are in the nature of essays, illuminating technical and abstruse facts to the interested lay public and reaching to the fundamental philosophy of city school systems.

It is to be noted further that Sadler's reports—favorable or unfavorable—were printed by the various municipalities in full as Sadler wrote them.

There can be no doubt that the committee of the board of estimate sees the hiatus and recognizes that it must be filled, and for that reason has now selected Professor Goodnow and Dr. Howe, as the committee says, "to make the study assigned to Professor Moore." These gentlemen are, as the committee states, "both competent authorities on questions of municipal administration and educators of experience," but this must be in the sense that they have long been employed in the business of education, for it has never been part of the educational activity of either, so far as we are aware, to make a study of the subject of city school administration; neither one has ever affected to be an authority on education or educational administration, nor has either one ever written on the subject.

That has been Professor Moore's lifelong study, his branch of education which is assigned to him at Yale University, and was the particular reason for his selection for this one subject by Dr. Hanus, who insisted that he of all men in the country was most competent for the study of that subject. Doubtless, Professor Goodnow and Dr. Howe will do an interesting piece of work and give us a valuable study from the governmental and political point of view, and this will be a valuable supplement to the work of Dr. Hanus and of his associates, but a study from that point of view cannot fill the hiatus left by the rejection of Professor Moore's report.

John Purroy Mitchel, chairman of the committee on school inquiry of the board of estimate, gave the following as the reasons for the rejection by the board of the report:

The report contains allegations and general conclusions unsupported by any facts cited or evidence submitted, many of which to the knowledge of the members of the committee and as established by public records are absurd and false.

Certain of these statements, if true, reflect seriously upon the discharge of their functions by the members of the board of education and other responsible officials.

The committee addressed two requests¹ to Professor Moore for such facts and evidence as he might have in support of the above allegations and conclusions, and requested a statement of the sources from which such facts and evidence, if any there were, had been drawn.

Professor Moore evasively declined to submit to the committee either his facts or the sources from which those facts were derived, or a statement of the offices in which his investigation had been conducted.

The Independent (New York) asked Professor Moore to present his side of the case. This he did and the following excerpts, made with the per-

¹ See article of Dr. W. H. Allen, p. 93.

mission of Hamilton Holt, the editor, give the gist of his side at the present stage of the controversy. Prof. E. C. Moore received his A.M. from Columbia in 1896 and his Ph.D. from the University of Chicago in 1898. He has worked in the University Settlement, New York, and Hull House, Chicago, and in other philanthropic organizations. He was called two years ago from the superintendency of the schools of Los Angeles to the chair of education at Yale.

After describing his interviews with Dr. W. H. Allen of the Bureau of Municipal Research (whose article follows) and the reasons for not undertaking the assignment directly Prof. Moore says:²

Professor Hanus was finally appointed as educational expert in charge of the investigation. His experience in that position he will himself narrate when he chooses to do so. Suffice it for me to say that I am firmly convinced that there is no other man in the United States in educational work who could have triumphed finally over so many obstacles which were put in his way as he has done. The school report has been made in spite of them and it is a work the like of which has never before been accomplished anywhere in the world. It is altogether the most thoro survey of the activities of a working school system which has yet been made. Its immediate practical value to New York City cannot be overestimated, while its usefulness to the whole world, both now and to succeeding years, is beyond calculation.

After defining the plan of his inquiry and successfully fighting off certain influences which sought to wrest the control and direction of it from his hands, Professor Hanus sent up a cry for help to which I had to respond. The detail to which he assigned me was the work of the board of education. The text of his request read:

The work which I should like to assign to you is an investigation into the organization, methods and records of the board of education or so much of this work as it is possible for you to do. What I am particularly anxious to ascertain is whether the conception of its functions which the board of education has is clearly defined; whether that conception is justified and whether the organization and methods of the board tend toward efficiency. Naturally whatever recommendations as to the function, organization and methods we might make should be based on some such inquiry as I have indicated.

At last I had definite written instructions, and I have carried them out to the letter. As Professor Hanus was the educational expert in charge of the inquiry, I not only got my instructions from him, but consulted with him from time to time, and at the end submitted my report to him, and after he had examined it and I had replied to a series of questions which he asked concerning particular passages in it, he accepted it. We also worked over the first galley proof together. The second galley and the page proof are yet to be gone over, and errors which further proofreading should correct certainly exist in the copy. Since he has examined, approved and accepted the report on behalf of the committee and his is the only examination of it which is authoritative, I feel no obligation to any one else in the matter and I am the more convinced of the justice of

² *The Independent*, November 14, 1912.

this position when I remember that it is a well established principle of the common law that one cannot at one and the same time be the defendant, the judge and the jury in a case at law. This is the unhappy position in which the board of estimate's committee finds itself in condemning my report. For one who is commissioned to report upon schools and their work is in every case called upon to examine into the relation of those who employ him to the schools. If he finds them scrupulously correct and careful in all these relations, well and good. He commends them for this and his report is accepted and printed. But if he finds them remiss in their duty and failing to meet either the requirements of the law or the plain necessities of the schools, even tho they are his employers and will bury him under reproach and condemnation, yet his obligation to the truth is greater than his obligation to any man, and the truth as he finds it and nothing but the truth must be his guide.

I spent more than forty days in New York City, most of that time in the offices of the board of education. Every facility was accorded me there. Copies of the printed minutes and reports of the board of education were loaned to me. I took them home and worked at the subject night and day. I read and analyzed some 4000 pages of the finely printed minutes of the board and its committees. Every explanation that I asked for was made, and all the documents and letters which I requested were brought to me. Methods of research differ according to the subject under investigation. My instructions were to investigate the methods, organization and records of the board of education in order to determine whether its conception of its function was clearly defined, whether that conception is justified, and whether the organization and methods of the board tend toward efficiency; in short, to discover and outline the present plan of school administration. I was not directed to make an audit of the books and accounts of the board nor to discover and write the natural history of its actions or those of its committees thru a period of months, or how successful its various enterprises are in their detailed workings, nor how the board of estimate conducts the details of its business, but simply how the results of its action affect the schools. Instead, I was instructed to examine the sufficiency of the plan by which the public educational interests of New York City are administered and are carried forward.

* * * *

The school is one of the four great institutions of civilization—government, the home and the church are the others. At first education was a home affair, next it was an ecclesiastical affair, and next it was subordinated to government. But the time has come when it is making itself free, and free it must be, in the same sense that the church is free under the state and the home is free under the state, and the school is related to but not dominated by the home and related to but not dominated by the church. Freedom of thought and freedom in teaching it has already achieved. The freedom to determine its own requirements of money under general laws and freedom to direct and control its own expenditures according to the necessities of instruction and to make accounting of them to the state, and not the dictates of local governmental authorities, it must have, and in a number of the leading cities of the nation it has already secured this freedom. This is a rapidly accumulating tendency of our age. What is necessary for the welfare of education in Philadelphia, Boston and Pitts-

burgh, Denver, Indianapolis and Milwaukee is necessary for education in New York City.

I have found it necessary to criticise the board of education, but chiefly because it has not resisted the encroachments upon its legal right to manage and control the school affairs of the city; and yet I remember that after three years of fighting for freedom from city hall domination which was contrary to the education law, it was whispered to the department for the direction of whose schools I was then responsible that unless the board of education ceased to resist the city council it would not get a cent from the city for the schools next year. Fortunately, other sources of revenue had been provided by the legislature without the knowledge of the whisperer and the danger from city hall domination was a thing of the past.

The power of the purse is a very real power. It must be strictly guarded and restrained. As all teachers must teach the children of the nation to obey the laws, it is particularly imperative that there should be no departure from or suspension of the laws of the state which guide and direct its school system.

NEW YORK'S REJECTION OF SCHOOL REPORTS "FOR WANT OF FACTS" OVER INQUIRY CONTROVERSY

DID you ever try to make constructive use of experts' statements which other experts called "poppycock," "untruthful," "false," "glittering generalities," "unfair," "unfounded"? That is the situation with regard to the second of the "educational aspect" reports from the New York school inquiry.

Though the situation has led to personal wrangling it was quite unexpected in connection with the New York inquiry. From time immemorial we have discussed questions on the "you did" and "you didn't" basis where one expert declared "you're guessing" and the other answered "you're another." Mercury and quicksand furnish poor analogies for the basis of discussion of educational matters whether in New York or in other parts of the country. Because statements were seldom proved and because school needs and school results were held to require Sherlock Holmes or other legerdemain qualities, New York's board of estimate and apportionment was applauded in 1910 for starting a school inquiry *to get a fact basis for discussing school needs*.

In urging that "a committee be appointed from the teachers' association to gather (for the school inquiry) and collate evidence on the needs of such reforms in the administration of the schools and in the course of study as will give better results . . . , " the *New York Times* on November 18, 1910, quoted the president of the teachers' association as saying that teachers heretofore had been an "easy prey of pedagogical exploiters, educational slummers, the mere statisticians and experimenters,

and all the other exponents of hollow assumption and scholastic dilettantism, who are clever enough and ready enough to exploit the energy, time and patience of the teacher for every new, costly and useless fad."

Until lately it was never publicly suggested by anybody that there was any earthly purpose of the school inquiry but to get facts, to base upon facts constructive suggestions, thus giving the community a fact basis for discussing school problems and directing school work.

The resolution passed October 26 was introduced by Comptroller William A. Prendergast. The third and fourth sections of the preamble read:

Whereas, in formulating the allowance for the purpose of the department of education this board has been unable to secure sufficient and satisfactory information in explanation of requests for appropriations made by such department to enable it to reach proper conclusions with respect to the necessity and propriety of such requests, and

Whereas, it is the sense of this board that efficient and progressive administration of the schools of the city of New York is indispensable to the welfare and progress of the city, and that generous appropriations for the purposes of the department of education are desirable in so far as assurance and evidence can be given that such appropriations will be expended for purposes and in a manner to promote the efficiency and welfare of the schools, and to increase the value and effectiveness of the instruction given therein.

The resolution read:

That the chairman of this board appoint a *committee of three of its members to conduct an inquiry* into the organization, equipment and methods, both financial and educational, of the department of education, including such plans and proposals as may have been formulated or may be under consideration by the board of education for extending and developing its educational activities, and that for this purpose the committee be authorized to *associate with it such experts* within and without the government of the city of New York *as may assist it in the conduct of this inquiry* and in the formulation of recommendations to this board, and that it be further authorized to *employ such assistants as it may find necessary* for the purposes of this inquiry.

The whole country joined with it in saying: "After years of futile controversy—of blindman's buff in which the public wore the blind and experts did the buffing—we are going to find rock bottom in discussing fundamental school questions."

Two general divisions of the inquiry were outlined by the school inquiry committee: (1) "Business aspects" which President Mitchel directly supervised and (2) "Educational aspects" of which Prof. Paul H. Hanus of Harvard was asked to take charge. In the former grouping were studies of handling supplies, accounting methods, engineering questions, miscellaneous complaints, handling of correspondence in offices of superintendents, etc. With these aspects Professor Hanus had no more to do

than the sultan of Turkey. Several of the reports have been published and action has been taken upon them. They were all specific in character like that of Mr. Averill on the numbers of letters handled, the numbers of recommendations analyzed, the dates, places found, percentages, direct quotations given, etc. Nobody called this report or Engineer Armstrong's report on buildings or Accountant Stewart's report on supplies poppycock, untruthful, unfair. Nobody could, because no comment was relevant which was not as specific as the reports themselves.

On the educational aspects only two reports have thus far been published. The first was begun and finished after Professor Hanus left the city's employ, July 1, 1912, and conducted directly under the committee on school inquiry—Mr. Bachman's report on method of computing the number of over-age children in New York's schools. With this report Professor Hanus had absolutely nothing to do. It was printed early in the hope of influencing the current school year's work. It was specific, giving the numbers of children counted, the different ways of counting over-age, the particular districts and schools concerned. No statement was made in it that was not supported specifically by material in the report itself, which showed that New York City was not making administrative use of its over-age figures, that it did not attempt to count some 70,000 children who drop out of school before the last day when the count is taken, that it does not count children in classes for over-age pupils, that the count is taken on the least typical and least useful day of the year. No one could call it poppycock. No one could try to sweep it away by references to inaccuracies or unsupported statements. True, it was answered and in a way which foreshadowed the danger to New York and to every other city that educators have not entirely abandoned the blind man's buff method of dealing with the public when school methods are criticised. Because what was done here may be done in your city, it is well to remember the following steps:

1. The city superintendent said "sufficient answer was given" by the statement of Superintendent Greenwood in the *Educational Review* for May, 1912, which recommended the New York method of reporting over-age, etc. (The Bureau of Municipal Research pointed out that five lines above the portion quoted by the city superintendent Dr. Greenwood had declared that for years he had considered the New York method misleading.)

2. Two associate superintendents and a high school principal were quoted in belittlement of the investigator who was an outsider, came only from a small town, was not even superintendent there, had had little experience as supervisor, etc. (The public was then reminded that his facts were the test of his report and not his pedigree.)

3. A formal answer prepared for the board by the city superintendent was of a character which would shock a business house for its irrelevance, inadequateness, evasion and its reiterated extenuation of an old unfounded claim that in 1904 New York had invented over-age reports and had nothing, therefore, with which to compare its methods.

4. The one agency whose special problem is citizen coöperation with public schools poured kerosene on the fire of misunderstanding by lamenting personal attacks although Mr. Bachman had strictly confined his report to a discussion of methods.

The second report on the strictly educational side, under Professor Hanus' supervision, to reach public attention, created a tempest. It was by Prof. E. C. Moore of Yale on "Organization and Methods of the Board of Education and the Functions of Local Boards." The incident will be discussed for years. Its significance it would be hard to over-estimate. If school inquiry means essays and opinions by experts, unsupported by facts, then the New York board of estimate and apportionment has made a sad mistake. If, on the other hand, the school inquiry is a means of producing evidence, the action of the board of estimate will go into history as one of the greatest services yet rendered to the cause of education. It means putting a premium on a new kind of man and a new kind of thinking; it means taking the mystery away from schools and putting them where they belong in the category of human effort which can be scientifically studied; it means establishing the maxim—*if we test the testable in education, the untestable will fade away into insignificance*. School inquiries that give new proofs will help communities settle problems and will be instituted by all communities. School inquiries that give unsupported opinions will settle nothing and will only discredit the idea of school investigation.

The board of education says several important parts of the Moore report are contrary to fact. Professor Moore says it is true. The board of estimate says that when doctors disagree the public cannot use their diagnosis until it has the facts.

Typical of statements said to be "unsupported" are: A no-man power is directing the schools and is preventing the proper conduct of the educational activities of the city; the board of education has not played a strong part in educational legislation affecting its own work; the board ties the hands of its administrative staff so that it cannot discharge its functions; the school system of New York is an inbreeding system; it keeps out the best teachers from other places; the many headed system is thoroughly incompetent to administer the schools; the board has not upheld the educational law; the present method of administering the schools can hardly be improved upon as a means of defeating the purpose for which the schools exist.

President Mitchell and his colleagues of the committee on school inquiry emphasized this fact as follows in their recommendation to reject the Moore report:

It should be clearly understood that at no time did the committee request any one of the specialists to change any conclusion or recommendation contained in his report. Facts, where lacking, were requested. These of course, the city is entitled to as the specialists were employed primarily to collect facts.

In a great administrative and constructive inquiry such as that which the board has inaugurated and conducted under the direction of your committee, nothing could be more harmful than the acceptance of an inaccurate or unfounded report. Fairness to all concerned and complete candor are the prime essentials of such an investigation. Nothing could hurt the constructive work of this board more grievously, or could militate more strongly against the constructive results of similar inquiries through the country than for this board to permit one of those in its employ to render to it a false and unfounded report without stigmatizing it as such.

As long ago as July (1912) the school inquiry committee of the New York board of estimate and apportionment, through its chairman, John Purroy Mitchel, wrote to Professor Moore: "I have read a summary of your report I do not know how exhaustive the investigation was upon which your report is based. In order that I may understand its scope, will you kindly give me information on the following points?" Then followed eighteen questions of which the following are numbers 6, 12 and 14:

Did you consult with any member of the budget committee of the board of estimate and apportionment concerning the making of the budget of the city of New York, and particularly concerning the budget of the board of education? If so, with whom and to what extent?

Did you consult the correspondence between the different members of the budget committee of the board of estimate and apportionment and the president and other members of the board of education dealing with the budget estimates of the board of education?

Did you read the minutes of the hearing held by the committee on school inquiry on methods and organization of the office of the city superintendent and associate superintendents?

Two days later Mr. Moore asked to have his full report read. President Mitchel replied at once: "Your report is still in the printer's hands, and the time of its return is uncertain. I was given to understand that you propose to sail for Europe within a short time. For that reason I prefer not to wait for the return of the original report." Mr. Moore replied: "As the proof of my report is now in your hands, I would again respectfully request that you examine it as to the scope and method"

For the next step President Mitchel read the report in detail and on August 19 sent to Professor Moore 223 questions asking for facts to support

conclusions and recommendations in the report. The introductory paragraph to this letter closed: "For the purposes of the committee and the city, your report is wholly valueless as it now lies. It will not be published unless the additional information requested by the committee is furnished and that promptly." After the letter was ready this concluding paragraph was added: "Professor Hanus has just written me stating that you are sailing for Europe. I had anticipated that this course might be taken, and for that reason, emphasized in my last letter the necessity for the information asked. The fact that you ignored my reference to your coming departure strikes the committee as not wholly ingenuous. When you were employed by the committee, it was with the expectation that the committee and the city, as well as the board of education, would receive from you an accurate statement of facts."

To Professor Hanus, director in charge of educational aspects President Mitchel wrote on the same date: "Dr. Moore's report as it now stands is so weakened by misstatement and misrepresentations of fact as to render it valueless to the committee and to the city. You ask what would be the effect of a refusal by my committee to accept Moore's report. I think the chief effect would be to save Dr. Moore from conviction for inaccuracy, carelessness and reckless conclusions as an investigator, and for lack of candor and fair dealing with his employer, the city of New York

. . . . I hardly believe that you and your colleagues will wish to weaken the excellent effect of your other reports, and to destroy such constructive suggestions in Dr. Moore's report as are valuable, by publishing his report with its garbled facts in its present form. Unless Dr. Moore can and does furnish facts to support his statements, or amends those statements to conform with the truth, the committee will be constrained to point out the misinformation contained in his report as well as his conduct in the premises."

Professor Moore's report was not amended by producing the facts to support his charges, allegations and recommendations. It was rejected by the board of estimate, as he and Professor Hanus were told it would be. Rejection means that it was not accepted, i.e., will not be presented as part of the school inquiry report, and the questions treated in this rejected report have been re-assigned to Prof. Frank J. Goodnow and Frederick C. Howe, known to the readers of the NATIONAL MUNICIPAL REVIEW for their work in connection with public administration.

In answer to the false issue which has been raised, that New York's board of estimate has suppressed part of the school inquiry, the facts show that the newspapers were not only given access to the galley proof of the Moore report but were invited to use it if they wanted to assume responsibility for it. The board of estimate, while publishing it as a matter of course, as part of the minutes of the meeting which rejected it, simply

refused to give New York City's official stamp to a report which the fiscal authorities maintained would manufacture misunderstanding whereas Professor Moore was engaged to remove misunderstanding by producing facts.

The satisfactoriness of the above summary depends, as I realize, primarily upon the character of the questions which were asked Professor Moore, which he failed to answer and of which he publicly said that they were "characterized by a degree of incoherence and confusion of thought approximating irrationality."

No. 6. Please support with facts the statement that the schools have been almost completely annexed to the city hall.

No. 72. Will you give illustrations of "recommendations and suggestions which its own experts have made for the improvement of its work" and which it has not "sufficiently considered"?

No. 100. Can you give illustrations to support the implication that the city superintendent is prevented by his associates "from exercising more than the nominal functions of his office"?

No. 196. Have you visited the repair shops in Brooklyn? Will you include a reference to the economies effected by repairing instead of throwing away desks, etc.

No. 223. Did you confer with the borough presidents who appoint local board members or with the secretaries who represent them?

Fortunately, whether these questions are irrelevant, confusing and irrational every reader may judge for himself. Fortunately, too, New York City and educators throughout the country, especially in the public schools, agree with the concluding paragraph of the editorial in *The Sun* of November 17: "A small bundle of facts will be more useful in rebuilding the educational plant than a carload of excellent suggestions the necessity for adopting which is not made plain by the exhibition of horrible examples."

The discussion of the Moore report has served to draw clearly the line between fact and fancy. In discussing future reports every New Yorker at least will ask "Is this a personal opinion or a school fact?"

WILLIAM H. ALLEN.¹

THE NEW YORK CAB SITUATION

THE New York cab service has been for so many generations a blot upon the fair name of the city that it is now regarded as almost incurable. Unlike the inhabitants of the old world where cabs are universally cheap, plentiful, and well regulated, Americans regard their use as exclusively the privilege of the rich. The average New Yorker seldom enters a taxicab, and when it becomes necessary for him to employ this means of conveyance, he never does so without a careful examination of

¹ Director, Bureau of Municipal Research of New York City.

the state of his personal finances. Added to the financial embarrassment involved is also the fear that possibly the chauffeur of the taxi he hires has but lately returned from an involuntary sojourn at the expense of the state, and is only waiting a favorable opportunity of extracting not only the fare, but also whatever additional cash and valuables the unfortunate passenger may have left upon his person.

To understand the reasons for the lack of regulation and for the excessive rates it is necessary to comprehend fully the present situation.

High rates in New York are due, first to certain economic causes, incident to the business in that city, and second, to the restrictions placed on the business by outgrown ordinances.

The principal economic cause that makes New York cabs so expensive is the traffic condition that exists in the island of Manhattan, the chief field of the business. All lines of travel run north and south, and all the traffic goes in one direction at one part of the day, and in the opposite direction at another hour.

For example, if a broker living in the vicinity of Murray Hill takes a cab downtown to the Stock Exchange in the morning, the cab is not liable to get a return fare away from that neighborhood till three in the afternoon, or later, when the tide of travel sets north. It therefore must either remain idle practically all day downtown, or return at once empty to the center of the city. Either course is uneconomical from an operating point of view. At night a similar situation is presented. A cab will pick up a fare along the "Great White Way" as the theatres and restaurants discharge their homeward bound crowds, and will carry him to his home, probably on the upper east or west sides of Central Park. At twelve or one o'clock at night no one desires to go downtown from those neighborhoods, and the cab must again return empty, very likely reaching the theatrical district at such a late hour that no further business is possible.

Such a traffic situation obliges the cab owner to charge sufficient to pay for both the outward and return journey of the cab, and is the main reason our cabs are so outrageously expensive. For it there is no cure except a redistribution of the business and residence centers on Manhattan Island, a cure obviously out of the question.

The New York cab owner is under a greater expense for repairs than his Paris or London brother, due to the bad condition of the city streets, which are often in atrocious repair, and in winter are lumped with snow.

To these handicaps must also be added the greater initial cost of the American vehicle, due to the difference in price between this country and Europe, and also the higher cost of operation due to dearer materials, and higher wages paid labor in America.

While these economic causes are sufficient to explain a somewhat higher cost of operation, and therefore a higher rate of fare in New York as com-

pared with London, for example, they are not sufficient to explain the enormous difference that actually exists. This will at once be seen to be true when we come to examine the New York ordinances. Nor can we find in any economic cause an excuse for the total lack of regulation by the New York City authorities of either the character of the cab, or the character of the driver. Only recently the police commissioner publicly stated that as many as two hundred men with known criminal records find an avocation as drivers of taxicabs in this city. The disreputable conveyances that haunt the ferries and appear up town late at night are a disgrace to a community like ours, and should not be tolerated on the city streets.

Let us now consider the outgrown ordinances which at present hamper the New York cabman at every turn. I call them "outgrown" advisedly, because they are relics of the pre-taxicab days when the cab business was on an entirely different basis, and with the exception of some slight regulations by the city authorities of the taximeter itself, have not been changed to meet the undoubtedly changed conditions that the taxicab created.

All cabs in New York are divided into two classes, (1) "public hacks," and (2) "special hacks." Each class is entirely separate and is governed by entirely separate restrictions.

The public hacks are really the public cab service of New York. They may pick up fares while driving around the streets, and by enactment of the board of aldermen certain locations are designated as "public hack stands" where they may stand. With one or two exceptions however, such as the theatres fifteen minutes before the close of the performance, the public hack stands to which these public hacks are relegated have no value as originating points of traffic. The places where traffic originates, such as the big railroad stations and restaurants, are exclusively occupied by the big companies owning the other class of vehicles—"special hacks." It is comparatively difficult for a public hackman to obtain a fare. They get but the overflow, and form a dejected fringe around the public squares and similar places, where to hire one is really an inconvenience.

The special hacks on the other hand are the outgrowth of the days when every club, hotel and railroad ran its own cab business for the benefit exclusively of its members, guests or patrons. The ordinance governing special cabs provides that the owner or occupant of any railroad station, hotel or club or similar public building may have the street in front of his premises utilized as a private hack stand for a limited number of special hacks. The ordinance then goes on to say that such special hacks must confine their service exclusively to guests or patrons of the building in front of which they are permitted to stand and must not await employment nor solicit fares at any other point.¹

¹See sec. 317, Code of Ordinances, in effect May 3, 1909.

While the ordinance provides that the special hackman must confine himself exclusively to the traffic originating from the building in front of which he stands, this provision is absolutely unenforceable and is openly violated. In fact the business of the big companies that operate as special hackmen is actually founded on the fact that it is impossible to enforce this provision of the ordinance, and they use their private hack stands as supplementary garages, storing machines there, not only for the benefit of the occupants in front of whose building they stand as limited by law, but also for the benefit of the surrounding neighborhood, and as a convenient distributing point for the vicinity.

Instead of remaining private stands as they were formerly, these privately owned hackstands have become to all intents and purposes public stands, that is, public so far as their patrons go, but intensely private and exclusive as far as the hacks that are permitted to stand there are concerned. For when it was found that that part of the ordinance restricting the use of the cabs exclusively to the patrons of the building in front of which a private stand was located was unenforceable, it was discovered that the right to maintain a garage and stand in the public street on which none but a specified company's cabs could stand was immensely valuable; the value depending more on the location than upon the actual amount of traffic originating from the building in front of which the private stand was situated. The owners of hotels, clubs, railroad stations, etc., now lease out this privilege to the highest bidder. It is said that the total amount realized by the hotels, etc., in New York from this source exceeds \$350,000 per year. The commissioner of accounts estimates the amount to be \$362,260.21. The Waldorf-Astoria collects \$30,000; the Astor about \$10,000; the Union Club \$5000, the Hotel Knickerbocker \$20,000. The amount each hotel, etc., receives is based on a percentage of the fares originating at that point, whether from the hotel itself or from the neighborhood. Under this arrangement 10 per cent of each passenger's fare automatically goes to the hotel or club which graciously permits the public to use its own streets. By this atrocious form of special privilege the right to use the public thoroughfares, declared by law to be for the use of all, is sold to the highest bidder, and the public through high fares obliged to pay for what belongs to them. This delightful scheme not only makes it possible to mulct the companies, and through them the public, for privileges in the city streets, but it effectually prevents the cab owner from picking up such return fares as could otherwise be obtained in New York. For a company hiring one stand is forbidden by the ordinance from standing its cabs on those of another company, or from going on the public cabstands, reserved exclusively for the public cabmen.

For example one evening I took a taxi from the private hack stand at the Buckingham Hotel (50th street and Fifth Avenue) and drove down to

a house in the neighborhood of Washington Square for dinner. As I paid the driver at my destination, I noticed another cabstand almost directly across the street in front of the Hotel Lafayette-Brevoort. One would naturally suppose my cab had only to cross the street and there await a new fare, but the Lafayette-Brevoort privilege was leased to a concern other than that to which my cab belonged; in consequence my cab was obliged to return empty over two miles uptown to the starting point, and there await a return fare.

Could any system be more absurd?

A scheme of taxicab service that levies tribute on the public for the right to use the public streets, and forbids cabs to solicit return fares has no place upon the statute books of any modern city.

The reforms which I propose, and which I have incorporated into an ordinance which now awaits action by the board of aldermen in New York are as follows:

1. The placing of all hacks of every character into one class, viz: "public hacks," and putting these public hacks under constant official supervision, giving to the mayor through his license bureau the right to refuse the license if the cab is not up to a certain standard for vehicles of that character, and the right to suspend or revoke the license if not maintained in a proper condition.
2. A careful licensing system for the drivers, so that the criminal, the intemperate and the diseased cannot endanger the lives of the public by acting as drivers of public hacks.
3. The abolishment of the private hack stands as such, and their transformation when desired by any hotel, club, or railroad station into public hack stands, on which all duly licensed cabs might go subject to the traffic regulations of the police, permitting cabs to go freely on every stand whether now called public or private.
4. A material reduction in the rates of fare made possible by the saving in the cost of operation under such a system.

The result of these reforms would be immediately to place within reach of even the moderately well-to-do a means of transportation that would be both safe, cleanly, and well regulated. Such a scheme of transportation would compete satisfactorily with the baggage transfer companies, and in fact a hundred new uses would be discovered for the taxicab. A profitable business would be created, giving employment to thousands, where now but a few hundred are employed, and last, but by no means least, New York would have a cab service which would be a source of pride, and not a reproach to the intelligence of her people.

COURTLANDT NICOLL.²

²Member of the New York Board of Aldermen.

THE HOUSTON CHAMBER OF COMMERCE

WITHOUT an aggressive business organization a city may be likened to a ship without a rudder. In the live city one will find an active chamber of commerce. The two go hand in hand, but never alone. The New South possesses many of these active organizations and the liveliness of progress in the fifteen southern states will suggest that there is not a backward organization among them.

No city in the land owns a chamber of commerce more active than Houston's. The chamber is not only always in the forefront of every civic movement, but one generally finds the big movements and campaigns are inaugurated by that body and the campaign put through to a successful completion. Nor is it ever too busy to drop for a time voluminous routine matters to plunge into the thick of a fight to carry out a civic plan for the city's betterment. Houston is doing big things and the Houston chamber "*puts over*" big things. Two bond issues recently voted and carried—one for a \$500,000 viaduct and a second for \$1,250,000 to be added to a like amount from the government for the improvement of the Houston ship channel are suggestions of the big things it initiates and carries.

The ship channel project was one of the first big civic problems taken hold of by the chamber. Buffalo Bayou, a natural arm of the sea, extending from Houston forty-eight miles to the Gulf of Mexico, had long been in use as a waterway for the shipment of freight and the volume of traffic over its waters was about \$50,000,000 annually. Its depth averaged about eighteen feet, which made possible traffic by small coasting vessels and barges.

The chamber made a study of the Manchester (England) ship canal and likened the situation in Houston with that of Manchester. The English city was an inland city some miles from the coast and its shipping was at the mercy of the railroads. Several millions of dollars were raised by Manchester to dig a ship canal through the bed of the sluggish Mersey and through solid rock. In due time the giant project was completed and the largest ships of ocean commerce came direct to the doors of Manchester. Today Manchester is a famous world seaport.

Profiting by this example the Houston chamber took up the project. It changed the name of the bayou to that of the "Houston Ship Channel" and started plans to secure an appropriation from the federal government to deepen the channel to a minimum depth of twenty-five feet and make Houston a seaport. After months of effort congress granted an appropriation of \$1,250,000 conditional upon Houston raising an equal amount. Houston called "the bluff." A proposal to bond to the extent of \$1,250,000 was submitted and the chamber carried on an active campaign, and the bonds carried nearly unanimously. They were later purchased by the

national banks and trust companies of Houston, the city of Houston and the county of Harris and the money made immediately available. In June of this year the work was started. The city is constructing free municipal wharves at the Houston terminus of the channel which will forever guarantee shipping over the Houston ship channel freedom from wharf charges.

Simultaneously with the ship channel campaign the chamber of commerce was actively concerned with the carrying of bonds to the extent of \$500,000 for the construction of a concrete viaduct 1600 feet in length over the upper end of Buffalo and White Oak Bayous and the net work of railroad tracks dividing the city into the north and south ends. The viaduct issue was carried nearly unanimously at the polls the same day the ship channel bonds were voted.

Another campaign the chamber precipitated and carried was the front foot paving campaign, by which the city adopted an amendment to its charter authorizing the payment for street paving by allotting two-thirds of the cost to the abutting property owners and the remaining one-third to the city. Until the adoption of the amendment street paving was paid for entirely out of the general revenues of the city and by bond issues voted by the people. Houston's rapid growth, however, made this plan obsolete, for the increased demand for street paving made the city unable to meet it.

To carry this campaign greater effort was necessary than in the viaduct or ship channel bond campaigns. Three cartoonists were retained and the newspapers of the city supplied free with cartoons advocating the amendment. Previously the two larger papers of the city had aligned themselves with the chamber in favor of the campaign, while the third was non-committal. The press agent's department investigated the workings of the front foot plan in other cities and explained it through the press. Letters from the people were invited and when a letter opposing the plan was submitted it was answered fully paragraph by paragraph in the same issue of the paper printing it.

Contracts were placed with every moving picture show in the city for the display of slides advocating the plan. Cartoons and slogans were displayed on the screens, every slide, in addition to the other matter, bearing the slogan "Vote for Paving." A providential rain fell for several days during the campaign, putting the unpaved streets into mud. Photographers were sent out by the chamber to photograph the wagons and automobiles bogged in the mud. Once when the fire department mired in a muddy street the bogged apparatus was photographed and thrown on the moving picture show screens.

The chamber organized a corps of public speakers, well known in the city, to go into the wards to explain the merits of the front foot paving plan and argue questions. Joint debates were held and every avenue of publi-

city was utilized to drive home the merits of the front foot plan over the one then obtaining.

The result was a thorough campaign of education. The people were shown how impossible it is for a city of 110,000 population to pave about 400 miles of streets by bond issue and out of the general revenue. The success of the front foot plan in other cities was pointed out and the remedy applied to Houston. When on February 14 last the question was submitted at the polls the amendment was carried by an overwhelming majority. Two years before the same question had been defeated at the polls. Entire credit for the subsequent victory should go to the educational campaign so thoroughly carried out by the chamber of commerce.

Another civic movement in Houston instituted by the chamber of commerce was that of a general clean-up campaign. This movement extended for three months and in some respects is still on.

For this work the chamber formed a separate organization composed of public spirited men and women, presided over by the president of the chamber. The organization was known as the Clean-Up Movement League. Like the paving campaign the clean-up campaign was to be educational. The moving picture shows were again entered and cartoons and press matter placed in the newspapers.

In the work the League had the thorough coöperation of every department of the city administration. The health department aided in the enforcement of the sanitary laws, while the garbage department added a number of double deck garbage wagons for the removal of all kinds of trash. Collection of garbage other than the regular daily service was taken up systematically. A week was allowed to each of the six wards of the city. A week ahead of the wagons inspectors canvassed every house and store in the ward and ordered a general cleaning of the premises and placing of the collected trash in a conspicuous position for collection by the extra garbage wagons.

During the six weeks that the extra wagons covered all the wards of the city tons of garbage were removed, besides the regular routine collection, which was not disturbed. When vacant lots were found the names of the owners were looked up on the tax rolls and orders sent them for the immediate improvement of the sanitary condition of the property. A property owner or tenant who proved dilatory in obeying the command of the movement to clean-up was threatened with prosecution under the laws.

During the progress of the campaign about 95 per cent of the property in the city was thoroughly cleaned. During the close prosecution was threatened against the remaining 5 per cent. The show of determination was all that was necessary and the remaining 5 per cent immediately cleaned their premises.

In order to cover all the ground and that no bad places would be missed the league encouraged espionage by neighbors on adjoining premises. Lantern slides and notices in the paper urged complaints to the offices of the league of neighboring insanitary conditions. The result was an avalanche of complaints. Subsequent inspections developed the property of the complainant sometimes was in worse condition than that complained about. Slides and press notices then were put in, suggesting the Golden Rule be followed, adding "If neighboring property is insanitary tell us, but *How about your own?*" Thereafter the volume of complaints was cut down and were genuine when made.

The league's inspectors then visited all the corner grocery stores in the city and ordered strict compliance with the laws. Screens were ordered up and improved sanitary conditions installed. If one rebelled against the lever of the league the law was cited and the case submitted to the league's attorney. In cases where corner grocery stores had beer saloons in connection contests against a re-issue of licenses were filed against the store and saloon owner refusing to comply with the laws. This brought them instantly into line.

Texas has a "clean-up day" in April when every city and town in the state is urged to clean up. Yet the Houston chamber of commerce holds that one day is inadequate. For the success of a public movement an educational campaign is necessary. By observing only one day many do not even take notice of it. Others may note it and forget it. Some few may observe it. Few observe it to the full letter. Instead of a day Houston observed it for three months and the result was at the end of the period Houston appeared as clean as though a giant suction cleaner had passed over it.

Another civic campaign that the Houston chamber of commerce put through was a movement for greater civic beauty. Improvement of the banks of Buffalo and White Oak Bayous was undertaken by the chamber and a public forester engaged. While the city forester was engaged principally in improving the beauty of these two streams his services were available free to anyone wishing his advice in the improvement of their private property.

JEROME H. FARBAR.¹

¹ Secretary, Houston Chamber of Commerce.

THE VOCATION BUREAU AND THE BOSTON SCHOOL SYSTEM

NO DEPARTMENT of public service in a community receives so large a measure of private coöperation as does the school department. This fact is an indication of civic spirit and a recognition that educational progress is vital to civic welfare. Many of the most valuable services to our children in the modern public school have been the results of generous volunteer initiative, and of private support until the public has come to realize the value of particular social experiments and has had them incorporated in the school system.

Conspicuous examples of such coöperation on the part of private individuals and organizations are, the kindergarten, manual training, evening lectures, school nurses, and other distinctly modern features of our school courses. It may be said, indeed, that the public school system itself is an outgrowth of private philanthropy, assumed in due time by the state for the public good.

The most significant recent factor added to the school curriculum is vocational guidance. The school must not only instruct youth, but it must also advise youth in the struggle for a foothold in life. Under modern conditions of labor division and high specialization in commerce and industry, this advisory service has become a grave necessity. Transition from school to work has been accompanied by a needless waste of time and often by an impairment of the hopefulness and efficiency of youth. Thousands of uninformed and misdirected children leave school every year, taking the first work that offers, changing from place to place, and thinking only of pay. In such cases we find no "life-career motive," no apprenticeship, no growth in power, no laying of foundations.

Here was the opportunity of the Vocation Bureau in its relation to the Boston school system.

The Vocation Bureau of Boston was the first to be established in this country. The men and women behind it, leaders in commerce, industry, education, and social service, appreciated keenly the present misdirection and loss in the critical transition from school to work. They saw that choice of vocation is impossible to young people who are ignorant of the nature of the various callings, and of the conditions of success and efficiency in the modern world of work. They saw that neither school life nor working life could rightly serve the child unless mental training, occupational information, and definite purpose in education should be brought home to the child. Underlying all the activities of the bureau is the conviction that a longer period in school and vocational education are fundamental to achievement in every desirable occupation.

The movement for vocational guidance had its beginning in 1907 at the Civic Service House in the North End of Boston. In 1909 a large and strong organization placed the bureau on a permanent basis. The Boston school committee became interested and sought its help in organizing vocational counseling in the schools. A school vocation committee, of six masters, was appointed to confer with the director of the bureau, Meyer Bloomfield, who was given charge of this large and important undertaking. Full coöperation was established with the school board and superintendent of schools.

"School vocational record cards" were adopted. The elementary card presented family information, the parents' plan for the pupil, the pupil's school record, physique, and plans for further schooling or for work. The high school record card showed why the pupil entered high school, his plans for advanced study or for work, and the line of his greatest aptitude.

With such information in the possession of the teacher, intelligent and useful advice and help may be given the pupil. The school work may be modified in a measure to meet the need of the individual. Instruction becomes in a larger degree a personal service to the boy or girl passing out into the working world.

That advising might be done most wisely and systematically, a training course for vocational counselors was established. One hundred and seventeen teachers, one or several from each school in the city, were appointed to serve as vocational counselors to boys and girls in their respective schools.

The director of the bureau has conducted this training course, in fortnightly meetings, for two years, having the coöperation of the Girls' Trade Education League in the presentation of occupations for girls, and being ably assisted by experts and authorities upon the vocations treated, whether industrial, mercantile, or professional.

Among the subjects considered in the course for 1910 and 1911 were the following: The principles of vocational guidance, the sources and methods of vocational guidance, The shoe industry, The boy and girl in the department store, The machine industry, A group of trades for boys, The Telephone industry for girls, Stenography and typewriting for girls, Book binding for girls, Architecture, The use of statistics.

In 1911 and 1912 the following subjects have been presented: Mechanical engineering, Civil engineering, Electrical engineering; The building trades, (1) Carpentering, (2) Contracting and building, (3) Masonry and concrete, (4) Painting and decorating; Advertising; The needle trades, (1) Dressmaking, (2) Millinery, (3) Machine operating; Problems and experiences of vocational counselors; Presentation of the work done and the pupil desired in two of the city's industrial schools; What the high schools offer and what they demand; The facts regarding "opportunities for vocational training," as assembled by the Women's Municipal League.

As a basis for right vocational counseling, and to supplement the training course for Boston teachers, the bureau has for two years conducted an investigation of the leading occupations open to boys and young men. This investigation has shown, in brief, the nature of an occupation, requirements for entering it, conditions of service, pay, opportunities, and future; or all that the occupation ought to mean as a life pursuit.

These studies are to be presented in bulletin form, eight such booklets having been printed already, namely: The machinist, Banking, The baker, Confectionery manufacture, The architect, The landscape architect, The grocer, The department store and its opportunities for boys and young men.

These publications are placed in the hands of school counselors, and are used throughout the country by persons and agencies interested in the welfare of youth.

Coöperating with the bureau and supplementing its service for the Boston schools, are three other organizations: The Home and School Association, which deals with the home and school relation; the Girls' Trade Education League, which studies occupations open to girls; and the Women's Municipal League, which studies opportunities for vocational training. The school board, also, as a direct result of the work of the bureau, has appointed a group of teachers to make a study of the employment conditions of boys and girls who, at certain stated periods, have left school to work or who passed to work at the end of the last school year. The report of these investigators will have great weight in shaping vocational guidance in the Boston schools in the future.

Briefly, in summary: The vocation bureau is advising with the many people who come to its offices for consultation as to vocations, choice, and educational training; it is assisting in the establishment of vocation bureaus and vocational work elsewhere; in coöperation with the Boston school authorities it has established the peculiarly important training course for counselors, and has led the way for a large vocational movement in the schools themselves; by affiliation it has found strong allies in three organizations well fitted to deal with special features of the great, general problem; it has conducted a vocational guidance course at Harvard; it is conducting an investigation of occupations open to boys and young men; its vocational books are consulted by educators and laymen; in its offices has been gathered a store of information from the world of industry, commerce, and the professions.

FREDERICK J. ALLEN.¹

¹ Investigator of Occupations, The Vocation Bureau, Boston, Mass.; also director of the City History Club of Boston.

PACIFIC NORTHWEST MUNICIPALITIES¹

IN ORDER to meet the ever increasing problems of modern city life, it has become necessary to unite municipalities of particular sections of the country into leagues, the purpose of which is the promotion of better and more efficient government through the establishment of reference libraries, bureaus of information and the exchange of ideas and experiences of city officials and public minded citizens. For a dozen or more years such organizations have existed in practically all portions of the United States. The leagues of New York, Ohio, Wisconsin, California, and the leagues of midland municipalities, embracing the cities of Iowa, Kansas and Nebraska are perhaps the best known.

The Commercial Club of Walla Walla, Washington, recognizing the need for united action among the cities of the Pacific Northwest, agreed to finance the organization of a league composed of the cities of Oregon,

¹ This account of the Walla Walla meeting of the League of Pacific Northwest Municipalities is so significant that the NATIONAL MUNICIPAL REVIEW is departing from its usual policy in regard to reporting such events. The meeting was not only an interesting one in itself but was significant of the need of the growing cities of the Pacific Northwest for more effective coöperation. Individually they are making great progress but they feel that the experience of each should be at the disposal of all and that they can make the most substantial and satisfactory progress by working together. In this connection attention is called to the suggestion of Dr. Clyde L. King in his report of the meetings of sundry state leagues to the effect that the National Municipal League and the NATIONAL MUNICIPAL REVIEW should be the means of bringing these various organizations into closer coöperation with each other, a suggestion which is emphasized by the action of the Union of Canadian Municipalities in taking the initial steps for the formation of an international municipal league and asking the National Municipal League not only to participate therein but to designate its secretary as secretary of the proposed international municipal league.

At the Los Angeles meeting of the National Municipal League the council at the suggestion of Prof. Edward M. Sait of Columbia University, authorized the appointment of a special committee on state leagues, which committee is now engaged in carrying out this work. In the prosecution of its work this committee has sent to the various state leagues the following letter of inquiry:

The National Municipal League, being desirous of getting into closer touch with the state leagues of municipalities, appointed at its Los Angeles meeting a special committee to promote this end. This committee consists of Richard S. Childs of New York, Dr. Edward M. Sait of Columbia University and Charles G. Haines. I am requested by this committee to ask you to send me the following information concerning your organization: (1) date of organization, (2), objects, (3) members, (4) membership dues, (5) publications, (6) sketch of typical year's work of the association.

In return for your courtesy we shall be glad to supply you with the reports of this committee and their recommendations when published.

H. A. Mason, the secretary of the California League of Municipalities, prepared an admirable paper on the work of the organization, which appeared in the October issue of the NATIONAL MUNICIPAL REVIEW, and has been published as a separate reprint. We shall be glad to send you additional copies of this, if you desire them.

C. R. W.

Washington and Idaho. Accordingly, a committee was appointed, which included the mayor of Walla Walla, members of the club, and representatives from the faculty of Whitman College, Dr. S. B. L. Penrose, president of the college, being made chairman. This committee effected a temporary organization, appointed officers from among the most prominent citizens and municipal officials of the three states, and prepared a draft of a constitution. The officers thus appointed, with the coöperation of a committee of the Walla Walla Commercial Club, arranged for a conference, prepared a program, and issued invitations to all the cities, commercial and civic clubs, and interested citizens of Idaho, Oregon, and Washington. The result of their efforts was a gathering of sixty delegates in the city of Walla Walla on October 24 and 25, 1912. About twenty of the leading cities of the Northwest were represented.

The conference heartily ratified the action of the temporary organization, adopted a permanent constitution, reelected all of the temporary officers, and approved the "League of Pacific Northwest Municipalities" as the official name of the organization.

The very evident interest and enthusiasm of the delegates in the spirited discussions after each of the papers indicated that the subjects discussed were of vital interest to the municipalities of the three states.

J. E. Frost, former state tax commissioner, one of the best informed men in the Northwest, characterized the Washington system of taxation as primitive and unenlightened because the state ignores the first great principle of equal taxation—that the individual should be compelled to contribute to the government in proportion to his ability.

The state of Washington [he continued] is the only state in the union and to the best of my knowledge, the only civilized community in the world that grants exemption to predatory wealth and imposes the entire burden of taxation upon simple forms of property: upon the home, the farm, the merchant, the manufacturer. A tax is an evil which drives away or prevents a desirable thing from coming to you. A tax is a good tax which encourages home building and home production. Imposition of taxes on the whole of industry and the immediate fruits of labor prevents the proper utilization of the great resources in the state and drives industries away. We need more homes, more farms, more factories, more opportunities for the employment of labor and a larger home market.

In concluding Mr. Frost declared that the first advance step for the state must be a constitutional amendment to free legislators from the restriction which binds them to an equal property tax, imposed on visible, tangible property, at an equal and uniform rate regardless of its character, condition or tax paying ability.

One of the features of the program was a lecture on city planning by E. F. Lawrence, a well known architect of Portland. At the opening of his address Mr. Lawrence declared,

The American city today, with few exceptions, is neither beautiful nor practicable. The American city has been hampered and stunted in its growth by real estate speculation carried on only for the day without regard to the future welfare of the community. The inborn belief of the American people that the rights of the individual are supreme over great community interests has saddled our municipalities with almost insurmountable charter limitations and obstructions.

C. M. Fassett, commissioner of public utilities for the city of Spokane argued for the municipal ownership and control of public utilities. He noted the dangers and difficulties attending such control by the officials of our cities. He maintained that,

An expensive and thorough propaganda is being carried on by wealthy and powerful corporations which see their displacement and loss of profit in public ownership. Ex parte news accounts, distorted facts and false conclusions are sent out all over the land, and have their effect; and there is enough truthful news, caused by the action of the political influences to which I have referred, detrimental to public ownership to frighten timid voters into a refusal to allow it to be undertaken. But the day is surely coming when we shall be free to inaugurate with assurance of success, any collective undertaking which may add to our efficiency, comfort, and happiness.

The discussion of health and sanitation proved to be one of the most profitable subjects of the program. Dr. Tetreau told how through a vigorous health campaign in the city of North Yakima an annual scourge of typhoid fever was entirely eliminated. As a result of a health campaign conducted in a business like way a death rate of 252 in 1910 and 210 in 1911 was reduced to 108 in 1912, notwithstanding a marked increase in population.

Dr. J. E. Crichton, commissioner of health of Seattle, spoke on health as an asset. He maintained

If physical well being is an asset, and we all recognize it as such, then that city will be the richest which best controls sickness and disease in order that the people may have the greatest number of efficient days in which they may labor and strive. That city is the richest which renders the social conditions of the people most pleasant and agreeable, that throws about them reasonable legal protection and restraint, because all these things conserve health and well being.

Any community can reasonably protect itself from communicable disease, like scarlet fever and diphtheria, and there is no reasonable excuse why these diseases are allowed to multiply and exact their toll if proper preventive measures are applied. This much, however, cannot be said of tuberculosis since the necessary machinery of government has not as yet been so perfected that health officers have the proper authority.

On the subject new legislation to be desired, Mayor W. W. Seymour of Tacoma offered a series of recommendations which he hoped would be

considered and presented to the legislatures of the various states interested in the league. Among the recommendations were the following:

1. A conservative home rule for cities.
2. A law which would make effectual the regulation of the social evil.
3. A more effective state food and drug act.
4. A state law permitting excess condemnation in cities of the first class.
5. A law requiring the state board of health to pass upon the domestic water supply of cities and villages before construction of the water plants.
6. A law establishing a reformatory similar to that at Monroe for men.
7. A law creating a court of domestic relations.

Under home rule for cities are to be considered: a law permitting cities to sell gas, water, and light to people residing beyond their incorporated limits; the exclusion from the debt limit of all debts incurred for municipally owned utilities which bring in a sufficient revenue; a law to give cities of the first and second class a more liberal investment of their sinking funds; a law giving cities wider latitude in the matter of industrial development; a law that will provide for the reduction of penalties on delinquent payments of local improvement district assessment; a law permitting cities of the first and second classes to assist various charitable and philanthropic institutions by appropriations of money.

The California league, through Mr. Locke, offered the Pacific Northwest League the use of its publication, *Pacific Municipalities*. The offer was accepted and an arrangement effected whereby the secretary of the latter league became an associate editor of the magazine and this monthly was temporarily made the official organ of the Pacific Northwest League. It was also proposed by Mr. Locke that beginning in 1915 the League of California Municipalities and the League of Pacific Northwest Municipalities have triennial joint meetings, thus affiliating more closely the cities of the Pacific Coast.

The conference was the first meeting of this character ever held in the Northwest. The delegates present voted that an annual conference should be held, and that a reference library and bureau of information be established at the headquarters of the league and adopted a by-law, providing for a legislative committee of fifteen members, five from each state to constitute a sub-committee for that state. The officers who were reelected and into whose hands the promotion of the organization for another year is placed are: President, Ex-governor Miles C. Moore, Walla Walla; vice-presidents, Geo. F. Cotterill, mayor of Seattle; A. G. Rushlight, mayor of Portland; Arthur Hodges, mayor of Boise; treasurer, R. Insinger, president of chamber of commerce, Spokane; secretary, Charles G. Haines, Ph.D., professor of political science, Whitman College; executive committee, Miles C. Moore, president; James H. Brady, Pocatello, Idaho; A. J. Gillis, Walla Walla, Wash.; Theodore B. Wilcox, Portland, Ore.; Charles G. Haines, secretary.

Arrangements are under way to publish the proceedings of the conference and the important addresses will also appear in current issues of *Pacific Municipalities*. A vigorous campaign for membership has been begun. The success of the first conference, the unanimous approval of the plan to hold such a conference annually, and the very evident interest already manifested in the League assures a promising future for the new organization.

CHARLES G. HAINES.²

² Whitman College, Walla Walla.

NOTES AND EVENTS

PROFESSOR CHARLES AUSTIN BEARD, *Columbia University, New York*,
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ASSISTED BY

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I. GOVERNMENT AND ADMINISTRATION

The Commission Government Movement.—The growth of the movement during 1912 was fully as vigorous as in the previous years. It has not been confined to any particular section of the country or class of cities. The following is a list of the 1912 accessions: Sheffield, Ala.; Phoenix, Ariz.; San Mateo, and Pasadena, Cal.; Colorado City and Durango, Colo.; Boise, Ida.; Harvey and Marseilles, Ill.; Jackson and Meridian, Miss.; St. Paul, Minn.; Salem, Mass.; Atlantic City, Nutley, Long Branch, Ridgefield Park, N. J.; Lincoln, Nebr.; New Orleans and Hammond, La.; Ada and Okmulgee, Okla.; Sumter¹ and Florence, S. C.; Madison, S. D.; McKinney, Tex.; Everett, Wash.; Janesville, Menominee, Portage, Rice Lake and Superior, Wis.; Great Bend, Kan.; Covington, Ky.; Duluth, Minn.

Commission government has recently been rejected in East St. Louis, Ill.; Savannah, Ga.; Waterville, Me.; Paducah, Ky.; Boone, Iowa and Winona, Minn.; Los Angeles, Cal.; Norfolk, Neb.

On November 5, Baker, Ore., and Spokane, Wash., voted down propositions to revert to their old charters.

Arizona: The new charter of Phoenix, providing for a commission plan of government was adopted in November and sent to the governor for his approval.

California: The board of freeholders in San Jose produced a new charter in September. This instrument puts large executive powers in the hands of the mayor. The council will consist of five members elected at large.

Santa Monica's new charter, now in preparation, is to be of the commission type. If adopted, it will go into effect January 14, 1914.

Thirty-seven charter amendments to the San Francisco charter were submitted to the people at a special election held on December 10. One of them gives greater power of removal to the mayor, with the proviso that the civil service commission may be removed only in the same manner as elected officers. By another, the civil service commission, would be given greater power over appointees in the classified service. Another would increase the salaries of the principal officers. The results of this election will be reported in a later issue.

Colorado: The election on commission government, which was to have been held in Denver on November 5, has been deferred until Spring. The mayor and other members of the city government as well as the civic bodies are working in harmony to this end.

The home-rule provisions of the constitution have been found incomplete in that they fail to give the municipalities control over their local elections. This fact was emphasized by a recent decision of the supreme court which annulled the preferential system of voting in the Grand Junction and Pueblo charters on the ground that the state law required primary elections in all cities. An amendment submitted November 5 giving the cities definite power to control their elections appears to have been carried.

Massachusetts: Salem is now on the list of commission governed cities, hav-

¹ City manager plan.

ing ratified an act of the legislature providing this form, on November 5. Two plans were submitted, the alternative form being the modified mayor and council plan. The initiative, referendum and recall are included in the new charter.

Revere, a suburb of Boston, voted on October 14 on seven alternative plans of government, including the commission form, annexation to Boston, and two town meeting forms. Annexation received the highest vote. Commission government came in third. Retention of the present town meeting arrangement received only twenty-three votes out of a total of 1100.

Attleboro, one of the largest towns, will vote on incorporation as a city on December 30.

Michigan: By constitutional amendment Michigan corrected its municipal system so that a city may amend its old legislative charter by the convention process without resort to a complete revision. The supreme court held such action under the original amendment, to be illegal.¹

Detroit has voted to call a charter convention. There is a strong sentiment in the city for municipal ownership of the street railways.

The charter commission at Saginaw finally concluded its work on October 25, and brought forth a commission charter.

Minnesota: On November 5 Minnesota voted down a proposition to amend the home-rule section of her constitution which would have cleared up any doubt as to the validity of charters under the commission form of government.

The charter commission in Minneapolis is considering plans for a new charter but is unable to agree on any one. It is possible that the present commission will resign on this account.

Duluth, Minn., voted on December 3 to adopt a new charter embodying the commission form of government, with the initiative, referendum and recall and

provides for election according to the preferential system of voting. Except for regulation as to election, the commissioners have a free hand. Their salaries are arranged on a sliding scale between four and five thousand dollars, according to the population. The vote was Yes 5500, No 3400, the Socialists opposing an account of certain features and the Saloon an account of others.

Mississippi: An opinion of the supreme court affirming the validity of the Commission government statute was rendered in support of a writ of mandamus, by which the city council were compelled to call an election for successors.

The cities of Laurel, Gulfport, Clarksdale and Hattiesburg are in a state of doubt as to the legal status of the city government. The law under which they are operating was enacted two years before the present commission government law. The unsettled question is whether the second law superseded the first. The situation at Laurel is serious in that the city wishes to issue bonds to the amount of nearly half a million dollars.

Missouri: St. Louis amended its charter on November 5 so as to provide for the initiative and referendum.

Nebraska: The constitutional amendment providing for municipal home-rule in cities of over 5000 was adopted on November 5.

New Jersey: Citizens in Jersey City, Bayonne and Hoboken, where commission government was rejected by comparatively small margins nearly two years ago, are planning to have the question resubmitted. The Hoboken people claim that they were defrauded in the count at the first election. Recently two persons have been convicted of ballot box stuffing on this occasion.

Ohio: The adoption of the home-rule amendment in Ohio has greatly stimulated local interest in city charters. In Cleveland there is a decided sentiment for simplified government, though not necessarily for the commission plan. An extension of corporate powers, which

¹ 168 Mich. 249, *Attorney-General v. Commission Council of Detroit*.

will permit the city to engage in such enterprises as municipal markets, is hoped for. An election of a board of fifteen freeholders will be held, probably, on February 4. The mayor is using every effort to make the board a non-partisan one.

In Dayton, the chamber of commerce and the bureau of municipal research are heading a movement for a commission charter. Similar interest is manifest in Akron, Elyria, Canton, Hamilton, Youngstown, Ashland, and other cities. Prof. A. R. Hatton and others are working on a bill which will permit any city to adopt one of three forms of government: the commission, mayor and council, and city manager plans.

Oregon: The amendments to the legislative charter of Portland, Ore., providing for a commission form of government, and submitted under the home-rule provisions of the constitution, were rejected by a rather close vote on November 5. A difficulty in the election was the submission of a second document known as the 'short charter.' The advocates of this plan essayed to cut out as much as possible the legal verbiage and leave only the skeleton or framework of city government, on the theory that the people would take care of the rest by initiative and referendum. For brevity the 'short charter' is a gem. Once enacted into law it would give rise to endless litigation. The charter question will probably come up again next year, at the regular election.

Pennsylvania: Some of the friends of the Pittsburgh charter will seek, at the next session of the legislature, to secure amendments embodying the initiative, referendum and recall, which were refused at the time of the original adoption in 1911.

Texas.—Some time ago the attorney-general of Texas concluded that the 1909 act providing for the incorporation of cities and towns under a commission form of government was unconstitutional and declined to approve the issuance of bonds under it. Subsequently

a suit for mandamus was instituted by the town of Aransas Pass in the Supreme court to compel the attorney-general to approve an issue of bonds. There was a popular demand that the court should pass upon the validity of the statute and definitely determine the legal position of the town. The court, however, declined to permit the filing of petitions for mandamus, thereby sustaining the attorney-general in his refusal to approve the bonds, but no opinion was rendered. The attorney-general however, concluded to approve bonds issued under the statute in question, provided it was shown by a census that the city or town contained more than 1000 inhabitants. He is now approving bonds issued by such towns under those conditions. The legislature of the state, which convenes in January, 1913, will in all probability amend the statute so as to remove any question of its constitutionality.

West Virginia: A new city charter for Wheeling, on commission government lines, has been prepared by the Municipal Improvement League. It contains no features of special interest.

H. S. GILBERTSON.¹



Spokane.—Unknown "interests" attempted at the recent election to abolish the commission form of government or to emasculate it so it would be of no value. The people defeated every amendment by a far larger majority than the vote at the time of the adoption of the charter, which must be taken to indicate that the citizens are satisfied.



Norwood, Mass., has employed a town manager following the example of Staunton, Va. The town manager will be town engineer, superintendent of public works director of water supply and lighting system.

¹Assistant secretary the Short Ballot Organization.

Home Rule in New York.—The Municipal Government Association of New York State, on the eve of the Republican and Democratic convention, held a home rule conference at Utica, September 21.

During the summer months agents of the association had made tours of the entire state, including personal visits to thirty-four cities and villages. Meanwhile, the Association established, through correspondence, communication between the home rule advocates in all the different sections, published and circularized pamphlets and conducted a campaign of publicity through the daily and weekly newspapers. The delegates to the Progressive party convention were reached by circular letters and a memorial presented advocating the insertion of an adequate home rule plank in the party platform.

All of the above activities preceded the Utica home rule conference. As a result, the home rule issue had already been injected into the state political campaign by the adoption of the following plank in the state platform of the Progressive party:

Municipalities should be given power to adopt and amend their charters in matters pertaining to the powers and duties, the terms of office and compensation of officials, incurring of obligations, methods and subjects of local taxation, and the acquisition and management of municipal properties, including public utilities. We are opposed to special legislation dealing with such subjects.

We would make it possible for any city to adopt the commission form of government.

The main purpose of the Utica conference was to formulate plans for securing the adoption by the Republican and Democratic parties of even more specific home rule declarations than those contained in the Progressive party platform.

The principal address was delivered by J. Hampden Dougherty, Esq., of New York City, on the battle for municipal freedom. He outlined the history of the

movement for municipal home rule in this and other states and described the program of the Municipal Government Association of New York State as including (1) home rule for the cities, counties and villages of New York State by the grant of adequate powers of self-government; (2) the passage of legislation which shall allow the free choice of municipal and local candidates in municipal and local elections unconfused by the presence of party names or emblems upon the ballot; (3) the enactment of a general municipal corporations act enabling the voters of a city to adopt a commission form of government or any other simplified form not inconsistent with the constitution or general laws of the state; and, (4) constitutional amendments, if necessary, to guarantee home rule in the municipal sub-divisions of the state.

The Republican and Democratic platform planks on municipal home rule were as follows:

REPUBLICAN PARTY

We favor granting to all cities and villages adequate powers of self-government and control over their local affairs and property and the transaction of municipal business, subject to proper constitutional safeguards and the general laws of the state, but free from legislative interference in purely local matters.

We favor legislation providing simplified forms of municipal organization, including the existing mayor and council plan, and the so-called commission plan, any one of which may be adopted by the voters of any city.

DEMOCRATIC PARTY

Home rule, so often violated by the Republican party, has long been a leading Democratic principle. We favor general legislation conferring on all cities full powers of local self-government, to enable them to control their local affairs and property.

We commend the Democratic legislature for passing the first proposed amendment to the state constitution, which, when adopted, will give to the cities and villages of the state the greatest possible measure of home rule, and we pledge our best efforts to secure its adoption.

The particular constitutional home rule amendment referred to in the Democratic platform is unsatisfactory to the experts of The Municipal Government Association, and they are urging a substitute.

SAM. A. LEWISOHN.¹

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Vote on Oregon Amendments.²—*Proposed by initiative petition:* Woman suffrage amendment, carried.

Referred to people by the assembly: creating office of lieutenant-governor, defeated; divorce of local and state taxation, defeated; permitting different tax rates on classes of property, defeated; repeal of county tax option, carried; majority rule on constitutional amendments, defeated; double liability on bank stockholders' amendment, carried.

Statewide public utilities regulation. Referendum, carried.

Proposed by initiative petition: Creating Cascade County—local issue, defeated; millage tax for University and Agricultural College—simple tax law, defeated; majority rule on initiated laws, defeated; county bonding and road construction act—grange bill, defeated; creating state highway department—grange bill, defeated; changing date state printer bill becomes effective—misuse of initiative, defeated; creating office of hotel inspector—misuse of initiative, defeated; eight hour day on public works—misuse of initiative, carried; blue sky law—misuse of initiative, defeated; prohibiting private employment of convicts—misuse of initiative, carried; relating to employment of county and city prisoners—misuse of initiative, carried; state road bonding act, defeated; limiting state road indebtedness, carried; limiting county road indebtedness—car-

ried; providing method for consolidating cities and creating new counties, defeated; income tax amendment defeated (by 246 votes); tax exemption on household effects, carried; tax exemption on moneys and credits, defeated; revising inheritance tax laws, defeated; regulating freight rates, carried; county road bonding act, defeated; abolishing senate, proxy voting, (U'Ren constitution) defeated; state-wide single tax with graduated tax jug handle, defeated; abolishing capital punishment, defeated; prohibiting boycotting, defeated; giving mayor authority to control street speaking, defeated; appropriation for university—referendum—misuse of referendum, defeated; appropriation for university—referendum—misuse of referendum, defeated.

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Louisiana Amendments.—Of the nineteen amendments submitted to the voters of Louisiana on November 5 nine were adopted, namely, those providing for the exemption from taxation for twenty years of corporations organized for the sole purpose of lending money on country real estate situated in Louisiana at not more than 6 per cent, exempting from taxation the legal reserve of life insurance companies organized under the laws of Louisiana, levying a tax of 1 mill for supplementing the appropriation for pensioning Confederate soldiers, amending the section relative to the registration of voters, providing for an additional judge, empowering police juries of the state to authorize a tax for the construction and maintenance of public roads, relative to incurring of debt and issue of bonds for work on public improvements by municipal parishes, school, drainage and other districts, relative to vacancies in judicial offices in the parish of Orleans, and extending the time for the organization of steamship companies. Among those that were defeated was the amendment remodeling the state system of assessment and taxation.

¹ New York City.

² The phrase "Misuse of the initiative" as is the judgment of the Portland *Oregonian*. The Taxpayers League of Portland published in *The Oregonian* of November 4, 1912, a careful summary of the amendments with advice as to how to vote on them.

California Amendment.—Of the eight measures voted on by the whole state in November only the two amendments to the constitution, proposed by the legislature carried: the free text book amendment, and the one making bonds of irrigation districts security for deposits of public money, just as other municipal bonds are. Both measures had a large majority.

All the initiative measures and those submitted under the referendum were defeated. These included the horse racing law, the three relating to the registrar of elections in Alameda county, the city and county consolidation amendment and the home rule in taxation amendments. All were beaten by decisive majorities.

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Illinois Votes on Public Policy Questions.—Under the public policy act of Illinois, the voters of Chicago and the state were called upon at the November election to pass in an advisory way upon three propositions: First, shall the next general assembly submit to the voters of the state an amendment to the constitution providing for the classification of property for the purposes of taxation with taxes uniform as to each class within the jurisdiction levying the same; second shall the next assembly revise the primary election act to abolish the scandals and disorder now incident to the filing of petitions, to increase the secrecy of the ballot and the political freedom of the voter, to simplify the system and reduce the expense of elections, and to encourage a greater popular participation in primary elections to the end that nominations may represent more truly the judgment of majorities; third, shall the next assembly create a legislative commission to investigate the most practicable means of shortening the cumbersome election ballot? All three propositions passed by large affirmative majorities. This is a source of gratification in many quarters in Illinois where these reforms are awaited.

The Michigan Amendment to the constitution permitting piecemeal amendment of city charters by the councils was adopted by a large majority.

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The Home Rule Amendment in Texas passed by a good majority. According to the latest figures available the vote for the amendment was more than 120,000 for and less than 43,000 against. The total number of votes cast for president at the same election was over 304,000. Had a majority of all votes cast at the election been required, the amendment would have failed.¹

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Nebraska's¹ Home Rule Amendment carried by a vote of 164,572 to 30,180. This vote was 63.7 % of the total vote cast at the election. The amendment had been indorsed by all political parties, and by the Nebraska law every straight party vote counted for it.

✱

Virginia Home Rule.—The amendment to section 117 of the constitution in reference to the government of cities was approved at the election on November 5 by a vote of 60,176 for, and 16,202 against.

✱

St. Louis voters demonstrated at the November election according to *The Star* that they had recovered from the attack of blindness brought on by the prohibition amendment in 1910, which caused them to see nothing good in the other ten amendments, even the one aimed at the suppression of ballot crimes the entire eleven amendments being overwhelmingly defeated in 1910.

The initiative and referendum amendment to the charter was passed, while the Free Bridge bond issue and the Municipal Assembly salary increase amendment were voted down.

¹ From Herman G. James.

Toledo Unique Among Ohio Cities.—At the fall vote upon amendments to the state constitution, Toledo stepped into a unique place in Ohio by being the only one of the larger municipalities of the state which approved all of the forty-two proposed amendments, including woman suffrage. Among the major proposals were those of initiative and referendum, reform of the judiciary, more efficient primary election regulation, protection of the welfare of employees, and equal suffrage, which carried by votes ranging from 2 to 1 to 5 to 1.



Self-Governing Areas.—On September 12, Winston Churchill discussed in a speech at Dundee the scheme of dividing England into several great self-governing areas, pointing out the natural divisions into which England would fall. Comments on this plan by four or five local government officers are printed in the *Municipal Journal* of September 20. Several county officers declared in favor of the plan as saving time now lost in going to London for powers desired by municipalities. One officer however spoke strongly against the idea as introducing elements of lack of uniformity in matters in which uniformity was much to be desired. The need for more local self-government seemed in the opinion of this writer to be met by the increasing use of provisional orders.



Electoral Reform.—*Philadelphia.* The committee of seventy has drafted two bills to be presented at the next session of the Pennsylvania Legislature; one providing for the abolition of the "party squares;" the other that no voter may be assisted unless he is physically unable to cast his ballot.

Ohio. At the last election, Ohio defeated an amendment providing for the

use of voting machines. *Massachusetts* has adopted one which allows any city to vote upon the use of voting machines.

Voting by mail. Charles Francis Adams recently advocated voting by mail. The chief provision is that the voter has an envelop with two compartments. He places his ballot in the sealed compartment and signs his name and address in the other. The officer designated to receive these removes the card with the name and address on it, checks it off the list and places the sealed envelop in the ballot box.

Preferential voting. Besides municipalities, many organizations are using the preferential system of voting. The St. Louis City Club uses it in the election of officers; and the classes in Harvard University use it in the election of class officers. *Minnesota.* A special June session of the Minnesota legislature provided for a state wide primary and removed party designations from the municipal ballot in Minneapolis, St. Paul and Duluth.

Woman's suffrage was adopted in three states; Oregon, Kansas and Arizona. In Oregon and Arizona, it was accomplished by the initiative and referendum. The vote in Michigan on equal suffrage has been in doubt for some time. A number of districts have held back the returns and the governor has stated that it looks as if it has been done with the intention of seeing how many votes were needed to count it out, or words to that effect. It is interesting to know that although woman's suffrage was defeated in Ohio, it is expected that within two years a chance will be provided for the question to be voted upon. Had this not passed, it would have been twenty years before it could have been voted on again. New Hampshire defeated it and must wait 10 years before the constitution can be changed.

REGINALD MOTT HULL.

II. FUNCTIONS

Philadelphia's Water Waste Exhibit.—Can a campaign of education lower the per capita consumption of water in Philadelphia 60 gallons per day?

If so, it can save to the city: (1) \$197,010 annually in the pumping department alone; (2) \$15,000,000 initial expense in new filtration beds; (3) added cost in the treatment of sewage to conform with the new law of Pennsylvania on that subject.

There is proof to show that the per capita water waste in Philadelphia through carelessness is, if anything, beyond sixty gallons per day. The average daily per capita consumption in Philadelphia is 210 gallons. In New York, it is 103 gallons; in Boston, 157 gallons; in Cincinnati, 128; in Cleveland, 104; in Detroit, 158, and in Milwaukee, 111 gallons. After taking into consideration the greater area of Philadelphia and the greater waste through the greater mileage of distributing mains, it would appear that the maximum consumption in Philadelphia should not be as much as 150 gallons per day.

The water bureau recently made a special investigation in a district containing 6000 people, a district in which there were practically no commercial or industrial activities, in order to determine the approximate amount of water wasted. The water mains in the district were isolated so that all the water furnished to the district came through one pipe. It was found that the average rate in the day time was 1,400,000 gallons, or 230 gallons to each resident. The night rate from midnight to 4 a.m. was something over 1,000,000 gallons, or 166 gallons for each resident, while the sewer was leading away about 1,000,000 gallons of clear and seemingly unpolluted water. It is a fair inference that a very large amount of the water running into that district from midnight to 4 a.m. was pure waste.

An investigation of an earlier date revealed that, in another district, there

were leaky fixtures in 13,157 out of 55,655 houses, that is, leaky fixtures in about 1 house out of every 4.

Director Cooke decided to see what could be done in the way of reducing this waste through educating the public to what the waste meant financially. Hence the "Water Waste Exhibit." This exhibit was held in the city hall court from October 7 to November 7. It was under the immediate charge of H. W. Benjamin. While this method of civic education was unique, yet encouragement to undertake it was found in New York's experience in saving \$3,000,000 from waste by an expenditure of \$75,000.

In one of the booths the Philadelphia fire prevention commission displayed the various ways in which water can be saved at fires. While a fire may be considered a good time to waste water, yet it also affords a splendid opportunity to save water, and that can be done, as the exhibit showed, if proper sprinkling systems are installed. It was estimated that 90 per cent of the billion gallons used annually for quenching fires in Philadelphia was wasted.

In another place was shown the waste through various sizes of spigots, and leakages. It was revealed that a $\frac{1}{2}$ -inch stream wastes 25,224 gallons per day; a $\frac{3}{4}$ -inch stream wastes 9504 gallons per day; a $\frac{1}{2}$ -inch stream wastes 2808 gallons per day; a $\frac{1}{8}$ -inch stream wastes 480 gallons per day, and a $\frac{1}{32}$ -inch stream wastes 264 gallons per day.

Another exhibit showed the per capita consumption of water in Philadelphia and other cities. There were also stereopticon exhibits at night, and exhibits of the various meters authorized by the bureau of water, and the amount of water that would be saved through their use. The city administration has finally succeeded in getting through the councils an ordinance making optional the use of meters. Great savings are expected from this source.

Surrounding the central booth, where most of the city exhibits were—a booth tasty and artistic—were lines of booths in which the manufacturers of all sorts of water appliances demonstrated their uses.

CLYDE L. KING.¹

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Notes on Recent Tax Legislation.—Constitutional amendments relating to taxation were voted on by the people of seven states at the November election, but in only one state, Oregon, were any important changes made in the fundamental law.

In California, a "home rule" amendment was submitted by initiative petition, granting to each county and local district the right to frame its own system of taxation for its own revenues. This was opposed chiefly on the ground that it was too sweeping and might result in great confusion both as to the dates of taxation and collection and the classes of property taxed. The amendment was defeated.

In Louisiana, a special tax commission proposed a number of changes in the constitution which were embodied by the legislature in one amendment. The chief object was a separation of state and local revenues by exempting public service corporations from local taxation and making them subject to a special state tax; the amendment also repealed the existing state license taxes and left municipalities free to impose business licenses or not, as they saw fit. This amendment was defeated. Two amendments were adopted—one exempting from taxation companies loaning money on farm mortgages, and the other exempting the reserve of life insurance companies.

In Massachusetts, an amendment was submitted authorizing the legislature to enact a special system of taxation for forest lands with the object of encouraging reforestation. The vote on this has not yet been announced.

In Missouri, an amendment was sub-

mitted by initiative petition providing for the abolition of business licenses, the immediate exemption of personal property and a gradual exemption of improvements, that would ultimately establish the single tax plan of raising revenue. This amendment was defeated by a vote of about 6 to 1 throughout the state, though in St. Louis the adverse vote was only 64,000 to 47,000 in favor. Another amendment, providing for a state tax commission in place of the present board of equalization was also lost.

In New Hampshire several amendments proposed by the constitutional convention held in June failed to receive the necessary two-thirds vote although approved by a majority. Under the present constitution the legislature may exempt entirely any class of property, but such property as is taxed must be assessed and taxed at the same rate as all other taxable property. The amendments proposed were designed to permit classification of property and taxation at special rates.

In Oregon, two amendments to the constitution were submitted to repeal the "uniform rule" and permit classification or exemption. These amendments were lost by a small margin. Similar amendments had been submitted in 1910 and were then also lost by a narrow margin.

In 1910, an amendment to the constitution was adopted which prohibited poll taxes, and provided for county local option in taxation "subject to general laws," and also that no law relating to taxation and assessment passed by the legislature should become effective until ratified by the people at the next general election. This amendment was repealed at the November election and in place thereof, one was substituted which prohibits poll taxes and provides that the legislature shall not declare an emergency on any law relating to taxation and assessment.

In accordance with the provisions of the 1910 amendment (now repealed),

¹ University of Pennsylvania.

measures had been submitted by initiative petition in three counties providing for establishing the single tax plan of raising local revenues. These measures were defeated.

A state-wide "graduated specific tax" amendment, which provided for a tax on land values and franchises, increasing in proportion to the value under one ownership in any one county, and also exempting all property except land values unless the people of a county should vote to tax other property, was defeated.

A measure submitted by the state tax commission through initiative petition for the exemption of household furniture and personal effects, was adopted.

In *Utah*, two amendments were submitted designed to abolish the constitutional requirement that all property should be taxed at a uniform rate, and permit the legislature to classify property for taxation or exemption. This amendment was not carried.

A. C. PLEYDELL.¹



Accounting Notes.—*Completing New York's new accounting system.* The New York Chamber of Commerce through its committee on finance and currency has recently completed (October, 1912), an examination into the progress of the installation of the new accounting system of the city in the interval since the preceding examination by the same committee in 1909. At that time the committee reported: "No other issue has been presented to our citizenship in years so vital to the permanent welfare of Greater New York."

Notwithstanding this urgent recommendation, although substantial progress has been made in the installation, its completion has dragged along until the last year of another administration. Hampered by lack of authority, lack of funds, a shifting force of temporary clerks to do the work, and an internal

semi-passive opposition on the part of the old régime, Comptroller Prendergast in 1912, after over two years of but little progress, reorganized the installation staff under the direction of Robert B. McIntyre. Since then, although some of the impedimenta still exist, much more rapid progress has been made and there seems good reason to believe that the new system will be in full and complete operation by the end of 1913. The Chamber's committee in its recent report says: "Believing that further delay would be extremely prejudicial to the interests alike of the citizen, taxpayer and bondholder, we ask the other commercial and civic organizations of the city and the public generally to join in earnestly asking the board of aldermen and the board of estimate and apportionment for the complete and effective installation of the entire system before the expiration of term of the present comptroller and to create a fund of \$200,000, or such sum as may be necessary, for the employment of the necessary accountants of definite technical experience and ability to accomplish this purpose."

The report also says that before completing the introduction of the reform it will be necessary to strengthen the hands of the comptroller and to settle definitely several deplorable conflicts between the departments and the controlling central officers. It is probably as true now as it was in 1909, when the former committee reported, that the reforms can be "made complete only by amendment of the laws governing the city's fiscal system"—a necessity recognized by the subsequent attempts to legislate at Albany.

Syracuse Accounts. The city for several years has had a semi-annual audit by Price, Waterhouse & Company. The accounting system, while excellent in many features, does not provide for showing current liabilities of invoices and payrolls nor contingent liabilities of contracts and open market orders. Mr. Lindars recommended the adoption of

¹ Secretary, New York Tax Reform Association.

these features. The report also shows that it is customary to make the budget in "star chamber" sessions; that inadequate provision is made for the redemption of \$5,415,000 long term bonds and that some of the proceeds of twenty-year bonds have been used for maintenance purposes. F. W. Lindars, C.P.A. (Ohio), represented the New York Bureau of Municipal Research in Syracuse.

An *Atlanta survey* was made by Herbert R. Sands, C.P.A. (N. Y.). His report emphasizes the need for unit costs and efficiency records throughout all of the city departments, also more publicity in budget making and a continuation of the beginning already made to centralize the purchasing power and standardize supplies and materials purchased. Suggestions are made also for improving the work methods of several departments.

The *St. Paul water board's* organization and methods of assessing and collecting revenues were examined by J. H. Clowes. The revelations of Mr. Clowes' preliminary survey showed the need of a complete reorganization of the entire department and the water board retained him to do the work. Among other discoveries was the fact that several meter readers who had been on the payrolls for years did not know how to read meters properly.

St. Louis, Mo., and Bridgeport, Conn. Peter White, C. P. A. (Illinois), has for several months been engaged in devising and installing new accounting systems for St. Louis, Mo., and Bridgeport, Conn. As a foundation for his new system, he inaugurated a modern segregated budget in each city. As in the New York and Chicago budgets the principle of standard accounts was adopted. The new St. Louis budget contains 20 and the Bridgeport budget 11 standard accounts. The use of a smaller number of such accounts in smaller cities has since been recognized by the National Association of Comptrollers and Accounting officers.¹

Better accounting system for Cook County. In January, 1911, after several months' study of the fiscal system of Cook County, Illinois (Chicago), the Chicago bureau of public efficiency submitted to the county board a formal report in which a modern form of segregated budget was recommended as a basis for better accounting control over the county's expenditures. No action was taken by the county board until 1912. Meanwhile, the Audit Company of Illinois had completed a four-year audit of the county books and substantiated the findings and recommendations of the bureau of public efficiency with respect to many of the financial methods. This firm was reemployed to frame the 1913 budget estimates according to the previous recommendations.

Spartenberg makes a "profit." The Audit Company of the South rendered a report October 29, 1912, on an examination of the accounts of Spartenberg, S. C. That the small cities of the south are beginning to recognize the importance of better accounting methods is a good sign of the times. Municipal accountants will be interested in the report particularly because it shows that during the year ended October 20, 1912, the city made a "net profit" of \$11,893. The use of such terminology is unusual in public accounts. The explanation is given that the net profit is "the excess of revenue over expense."

HERBERT R. SANDS.²



Police News.—*Credits for meritorious work.* Major Richard Sylvester, superintendent of the police force of the District of Columbia has introduced an excellent system whereby credits are given to members of the department for extraordinary or meritorious service and policemen who render good service after they have suffered disciplinary penalties are enabled in this way to restore them-

¹ Report of Buffalo Convention, June, 1912.

² Certified Public Accountant (New York).

selves in the confidence of the department also work off financial and other penalties. This gives encouragement to those members of the force who most need an incentive and generally have the least incentive.

Letters of reprimand and commendation. Rudolph P. Miller, superintendent of buildings in the largest borough of the city of New York, has taken a deep personal interest in raising the efficiency of his inspectors, who perform important police duties. Each inspector's efficiency is rated quarterly as being satisfactory, unsatisfactory or especially meritorious. In the case of each inspector whose work has been rated as unsatisfactory or as especially meritorious the superintendent writes the inspector a personal letter giving the reasons for the rating. These letters of commendation are warmly prized and the letters or reprimand serve to make the inefficient inspectors realize that the superintendent knows exactly the nature of the shortcomings of each.

Chiefs of police under civil service. A recent Massachusetts statute has extended the provisions of the civil service law to the chief of police of such Massachusetts cities as may by vote accept this statute. Under this law chiefs of police will be selected from the police force of the city by means of a competitive civil service examination and chiefs of police can no longer be removed for personal or political reasons. Since patrolmen and other police officers have for many years been subject to the restrictions and the protection of the civil service law, the extension of this law to the head of the police force marks an important advance for the cause of good government.

Fixed posts and patrolling partners. Rhinelander Waldo, commissioner of police of New York City has introduced for the policing of the more populous sections of the city at night a system of fixed posts with patrolling partners. Two patrolmen are assigned to each post and of these men one alternately

stands in the middle of the street on fixed post and the other patrols the beat. The man on fixed post can always be found when a policeman is wanted and the patrolling policeman covers every section of the beat thoroughly. The requirement of an officer's presence on fixed post has increased the efficiency of the night patrol in many respects. For example, alarms of fire are more promptly sent in.

LEONHARD FELIX FULD, PH.D.

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Omaha Gas Fight.—Following the example of Minneapolis and Des Moines, Omaha is conducting a persistent campaign for a reduction in gas rates. At the present time the rate is \$1.15 per 1000 cubic feet, but a New York expert, William D. Marks, after making an investigation of the operations of the Omaha Gas Company, reported to the city that the company should sell gas at the rate of 93 cents. The city has also employed James Hall, a Chicago expert accountant, to go over the books of the company and pass upon the question. If his report favors a reduction, the city will carry the issue into the courts.

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Des Moines Gas Fight.—Mayor Hanna, of Des Moines, has been conducting a persistent fight for 90-cent gas. He has tentatively won the fight and the gas company is committed to a three-year trial of the new rate to determine whether it is remunerative.

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Chicago Aldermanic Subway Committee Expresses Itself.—According to the *Chicago Tribune*, the sub-committee of Chicago aldermen, which recently inspected the subway systems of Boston, Philadelphia and New York, believes that Chicago requires a comprehensive subway system designed for rapid transit, high level tunnels wide enough for four

tracks, ventilated according to the latest New York practice, and extending approximately from the down-town district to the city limits on the west side, to Sixty-third Street on the south side, and to Lawrence Avenue on the north side. It believes that all public utilities, except transportation, should be excluded from the tunnels, and would make no provision for gas, water, sewers, electric power or telephone wires. The ideal of the committee is to see all street cars and trains now elevated put under ground within the downtown district.



Liverpool Municipal Street Railways.—The report of the general manager of the municipal street railways of Liverpool for the year 1911 contains a most gratifying account of the efficiency of municipal operation and the excellent results that are being obtained in one of the largest British municipalities, through the public ownership and operation of this service. The gross profits for the year were \$1,221,000. From this sum a little over \$250,000 was used to pay interest charges on the indebtedness contracted for the purchase of the lines, \$295,000 for sinking fund charges and in round figures \$380,000 for the reserve, renewal and depreciation fund. This leaves a net profit of nearly \$300,000, for general city purposes.

The report also shows that the management has made an effort to improve the condition of the employees by providing for an increase in wages of one shilling per week for every five years satisfactory service. The interval for such increase in wage has heretofore been ten years. An interesting experiment made by the street railway management has been to take over all risks for accidents. In 1908 the management was paying to an insurance company \$56,278 per annum for assuming such risks. Since the risk has been assumed by the municipality the annual outlay for this purpose has averaged \$20,800.

Birmingham Trailers.—According to the *Birmingham Daily Post* there is some hope that the permission granted by parliament to the London county council to use trailers on the street car system will lead to extending this power to the provincial towns as well. Heretofore, it seems, trailers have been illegal and it is contended that the system of single deck cars with trailers is better calculated to take care of the traffic in rush hours than is the system of double deck cars now in use.



The Tramways Committee of Edinburgh has agreed unanimously to recommend the council to take over and work the tramways, after the expiry of the present lease with the Edinburgh and District Tramways Company.



Trackless Trams.—The *Municipal Journal* states that a syndicate is desirous of gradually converting the present electric tramway system of Scarborough, England, into a trackless system. It was pointed out that the trackless system would enable cars to run to certain points, which cannot now be reached by the present system, with very little extra capital outlay. Trackless trams have been working most successfully in Leeds, England. Committees have been appointed to wait upon parliament for the necessary powers in order to extend the system.



Motor Omnibuses.—A determined effort is being made by the local authorities around London to secure powers of control over motor omnibuses. Already a representative conference of municipal councils whose areas border on the southwest and west of the county boundary has passed resolutions on the subject. On October 31, 1912, another conference, composed of representatives of the Greater London Councils within the metropolitan area was held. Two ques-

tions are before the councils: first, the means by which power to regulate motor omnibuses may be secured; and second, the body to which regulative power shall be granted. It was the opinion of the conference that stringent regulation, coupled with power to tax, was essential because of the increased cost of road maintenance, the risk of serious accidents, the detriment to property, and the loss and inconvenience to tradesmen and others arising from the use of motor omnibuses on highways in the districts surrounding the metropolis. The conference resolved that the government appoint a select committee to inquire into the matter and take any necessary evidence, with a view to immediate legislation. In the very near future, motor busses will no doubt be playing a very considerable part in the transportation problem of American cities.



An auto express wagon has been invented and perfected by Russell Thayer of Philadelphia which, it is believed, will make possible an extended use of the express truck in the delivery of light freight brought in by trolley companies. This trolley truck is a joint trolley car and storage battery wagon. It is claimed that it would be operated much more cheaply than horse-drawn freight wagons and will do the work of four horses. A five-ton trolley truck will consume about one-tenth of the power of a trolley car, and, owing to the storage battery feature, is as mobile as the more familiar type of electric vehicle. It will not have to use the track and can run on streets or roads where there is no trolley feed wire.



Memphis Telephones.—Mayor Crump is making a fight for lower telephone rates and for "decent service" from the Cumberland Telephone and Telegraph Company. An ordinance passed on July 30, 1912, prohibited telephone companies from charging a higher rate for business phones than \$5.50 per month

for unlimited service, on single private lines, or \$4 per month for unlimited service on party lines. For residence phones, charges of not more than \$2.50 per month for unlimited service on single private lines, or \$2 for unlimited service on party lines, are provided for. The old rates were \$7.50 per month for business phones and \$3.50 per month for residence phones. The ordinance has been upheld both in the United States circuit court and in the state circuit court of appeals.



Pasadena City Farm Successful.—In 1888, Pasadena purchased 300 acres of ground as part of its plan for disposing of the city's sewage. Since then additions have been made until at present the city controls 530 acres and completely utilizes the sewage of its thirty-five thousand population. The sewage, after passing through a settling tank, is distributed over the land for irrigation purposes. Unfortunately, the irrigated land gives off an odor which is not altogether agreeable to the residents of the surrounding territory, and an effort is now being made to eliminate this by a process of sewage purification.

At present the farm is divided up as follows: Sixty-five acres are devoted to an orange orchard; one hundred and ten to the cultivation of English walnuts; one hundred and forty-two are sowed in alfalfa; and the remainder is used for grain and hay. There is also a state horticultural station which has done a large amount of experimental work and which has raised a large number of citrus and walnut trees, both for sale and for stocking the farm orchards. A part of the station is devoted to the growing of ornamental trees and shrubs which are sold or used for planting in the various city parks and street parkings. In the northeastern part of the farm is a dry wash in which flows a mountain torrent when the rain falls heavily, and this affords revenue from the sale of sand, gravel and rock.

For the fiscal year ending June 30, 1912, the farm, through the sale of hogs, hay, corn, walnuts, pumpkins, horticultural items, wood, sand, rock and gravel, produced \$20,097.13. During the same period the cost of operation was \$5,329.53. The profit of \$14,767.60, will be applied to improvements and special work in the disposal of the sewage.



Bradford Sewage Profit. Last year the city of Bradford, England, made a profit of \$150,000 from grease recovered from its sewage, and so great has been the success of the machinery installed for this purpose that \$300,000 will be spent this year for improvements on the plant. The total sales of products recovered from the sewage last year amounted to \$500,000. At present Bradford is the only city in the kingdom which derives a profit from its sewage, and its success is due to ten years' patient effort on part of Sewage Engineer Garfield.



Schenectady Embarks in Ice Business.—The socialist mayor reasoning that "ice is water, water is ice, and therefore the city could own its own ice plant and supply the citizens with ice as properly as it owns its own water works and supplies the citizens with water," embarked in the ice business with capital furnished from the municipal treasury. His effort were not appreciated, however, for a group of taxpayers brought suit to compel him to return the funds to the city strong box, and the supreme court decided that in this case "ice is not water," and if the mayor desired to supply ice to the citizens it must be done at his private financial responsibility.



Municipal Operation of Coal Lands.—Washington dispatches indicate that Secretary of the Interior Fisher proposes

a plan to allot government coal land to cities and town to supply the needs of municipalities. He has recommended a bill granting 640 acres of government coal land to Grand Junction. Cities and towns in Colorado, Wyoming, Utah, Montana, Idaho and other states west of the Missouri River are vitally affected by this plan. The proposal provides for the prevention of any assignment or transfer of the land, for suitable protection of the health and safety of men mining and handling the coal, and for the prevention of undue waste of mineral resources.



Bradford and a Municipal Coal Supply.—A special sub-committee was recently appointed by the corporation of Bradford to report on the advisability of establishing a municipal coal supply as a means of obtaining cheaper coal. The investigations of the committee showed that the corporation could not buy coal cheaper than coal merchants and that the profits were so small—one shilling per ton—as to make it undesirable for the corporation to engage in the business.



Spokane Municipal Chemical Laboratory.—For some years this city has maintained a city chemical laboratory. Until the inauguration of the commission form of government, this laboratory was practically only an adjunct to the engineering department, testing cement, carrying power of materials, etc., but the laboratory is now under the supervision of the commissioner of public utilities, and the scope of its work has been surprisingly broadened, being of daily service to the health department, the water department, in the purchase of coal, oils, and in other directions, all of which react as a saving to the city. It is estimated that it has increased the quality of the gas furnished by the local company 20 per cent.

III. CITY PLANNING AND IMPROVEMENT

Boston Street Board Flays Highways Enactment.—Another effort is being made by the Boston municipal authorities to secure the elimination from the state highways act of 1891 of the limit of 125 feet for assessment in case of street improvements as well as the limit of 50 per cent of the cost of such improvements to be assessed. It was the theory of those responsible for the act that with the abutters paying the cost of the improvements, there would always be plenty of funds in the treasury for new streets. On this assumption the municipality planned a number of great highways, borrowing millions of dollars to carry out the plans and expecting that the cost would be speedily met out of promptly paid assessments. Assessments however were not kindly responded to and were paid only under pressure; and powerful agitation brought about an amendment which reduced the amount to be assessed to 50 per cent of the cost to of the improvements. So, while the call for acceptance of new streets grows louder constantly, the municipal treasury contains only a few hundred thousand dollars for street improvements. According to *The Transcript*, the present commissioners declare that the act was wrong in limiting the area of assessment to 125 feet, for beyond this distance was a vast amount of property which received direct special benefit from the improvement of the great avenues, but which escaped just taxation under the provisions of the act. "Had it been possible to assess all property which had been benefited," the commissioners say, "the tax in no case would have been excessive and the city would have recovered a large part of the money expended and the loan for highway improvements would have had wider use."



New York City and Little Bryant Park.
—The little open space back of the New York Public Library, called Bryant

Park, has had an interesting history. It began as a residential square; it was then appropriately developed in a naturalistic fashion with trees, grass plots and shrubs arranged informally. With the change of the neighborhood from homes to shops and stores, a change in the purpose and use of the park is called for. In common with other public open spaces, especially in large cities, it has been constantly sought as a building site, not so much because of its suitability but in the hope that it can be had without cost. A more legitimate use for it is the present proposal to develop it as a foreground and setting for the great library building which fronts upon it and to replan and to replant the park itself so that it may better serve the new purposes which the complete change in the neighborhood has made desirable. Carrère and Hastings, the architects of the library, and Charles Downing Lay, the landscape architect of the city, are of one mind as to the changes desired. If their plans can be carried out they will introduce into American cities a new conception of the practical and artistic development of small centrally located open spaces, especially those connected with important public buildings.¹



Jersey City Fighting Smoke Nuisance.
—Jersey City is unrelenting in its indictments of railroads for negligence in use of fuel and consequent aggravation of smoke evils. The city proceeds on the idea that although the companies have the right to use any kind of fuel, they do not have the right to use fuel negligently. The net result of the attitude of the city will probably be that its constant attacks will become so unbearable that the companies will burn anthracite coal or use electricity exclusively.

¹ From John Nolen, Cambridge.

Pittsburgh Hump Being Removed.—The remaining portion of the famous Grant Hill, known as the "Hump," is in course of removal. This barrier to the growth of the business area of the city has been attacked three times. The first attempt was made early in the thirties and the second about 1848. In 1909, W. A. Magee, when running for mayor, made promises that if elected he would immediately take steps toward removing "the hump." Following his success at the polls, he submitted plans to the people for the project and the councils have undertaken the work. It is expected that the project will be completely carried out before 1913.

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City Planning.—A committee of the National Conference on City Planning, (Flavel Shurtleff, Boston, is secretary) is making plans to conduct an intensive study in city planning of a specific area. Conditions under which the study is to

be made and a description of the area which is to be planned will be communicated to civic organizations, chambers of commerce, engineering and architectural societies upon request.

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Survey and Exhibit Department Russell Sage Foundation.—The Russell Sage Foundation has established a department of surveys and exhibits, under the directorship of Shelby M. Harrison and E. G. Routzahn, with offices at 31 Union Square, New York, as a center of information, council and field assistance in organizing surveys and exhibits.

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Tacoma Billboard Movement.—Tacoma has a substantial movement for the elimination of billboards. The city authorities have decided to discontinue the leasing of municipal docks to bill posters and bills will be prohibited on all city property.

IV. POLITICS

The Socialists and the Commission Form of Government.—The Socialists, officially speaking, are unsettled in their position toward commission government; and as a party, they have postponed action although a special committee reported to the last national convention the following generally unfavorable conclusions:

The study of the movement for the commission form of government for cities in America reveals the fact that the forms proposed vary greatly in detail. Indeed, there is a great variation even in essential features. . . . There has not yet been proposed a final and definite form of the commission form of government; the whole matter is in process of development.

In view of these facts it is impossible at the present time to lay down or to fix any definite policy that shall apply equally to all the states and all of the cities with reference to this matter.

In some cases the Socialist party organizations have already used their influ-

ence against certain objectionable forms and defeated them. In other cases they have compelled a modification of the form by insisting on the introduction of certain features that had been omitted; and so far as your committee can see, this discriminating attitude, varying with the conditions that concern the party in different localities, and varying as the movement varies, will have to be the position of the party.

One thing, however, your committee would recommend, viz.: That a committee be appointed by the convention to study further the best forms of municipal government and to submit the results of their work as a basis for a form that may be proposed as an alternative and improvement upon the commission plan.

The trend of the report supplementing these conclusions was distinctly unfriendly and especially to the non-partisan feature, which of course the socialists everywhere, and under every form, combat. On this point the report declared that the elimination of parties is

a seriously objectionable feature. In the language of the committee:

There can be no greater fallacy than the so-called non-partisan idea. Whether it be the mere stupidity of our so-called reformers or the clever design of politicians who seek to manipulate municipal government to their advantage, or a little of both, we can see no logical reason whatever for this non-partisan idea. Some seem to feel that if they can only eliminate "parties" in municipal affairs, everything will be lovely. In some cases this is carried to the extreme of prohibiting any kind of party designation whatsoever in a municipal campaign. Generally, however, the idea is to eliminate national parties from the local campaigns.

Little need be said with regard to the proposition that proposes to eliminate all party designations of every kind. Such a proposition would take out of civic life the responsibility of fighting together for principles. By eliminating all designations by which people would work together for some principle or idea, municipal campaigns would be thrown back again upon the worst elements in our political life.

The experience of Boston with their non-partisan government is an illustration. Speaking of the situation there, George P. Anderson, writing on "The First Result of Boston's Elaborate Political Reform," in *Pearson's Magazine*, says:

"The aim of the promoters of the new charter was to smash party lines and to break up party fealty. The charter accomplished this, but resulted in the injection of race and religious issues as substitutes. This is a most unfortunate result, but it is not wholly illogical. In ordinary campaigns the candidate of a party stands for certain principles or traditions of that party. Take those away, and the candidate's personality is bound to be the leading issue, and his race or religion cannot fail to be discussed. Which arrangement is better Boston knows to her sorrow. Other cities on the edge of a reform ferment, if they are wise, will pause before following her example."

And this is what might naturally be expected. The efforts to eliminate what is supposed to be the baneful influence of partisanship and the party, this non-partisan movement eliminates principle as well; and eliminating principle leaves nothing but personalities, race and reli-

gious prejudices as issues in municipal campaigns.

Against the elimination of national party names and national issues even more may be said. There is hardly a serious problem of municipal government that can be solved at all aside from the state and national movement. Take the question of home rule. Here in the very nature of the case the city is powerless in the hands of the state legislature. The fight for home rule itself is a state and national fight. Take the question of the commission form of government itself—it has been an issue for state legislatures very largely. Or to consider some of our commercial and industrial problems. The real difficulties that concern a people in a city, involve state and national issues. For example, the supply of coal for a city—what can any city in America do on a problem of that sort without state and national action? The city may establish a coal yard? But that is only the merest fraction of the problem. The coal must be shipped to the city over railroads that are owned by private corporations. It must be mined in mines that are owned by the monopolies and trusts. The transportation of the coal becomes a problem of interstate commerce. Thus the most elemental problem of the city becomes a state and national problem, a question requiring a consistent and comprehensive programme for state and national action. To undertake to solve problems of this kind by limiting our efforts to local issues, and separating our cities from state and national issues, is absurd.

The Socialists also strongly object to the extreme centralization of power which is a characteristic feature of commission government, and to the elimination of minority representation, which of course grows out of the objection to the elimination of parties.

To ascertain the sentiment of the socialist locals there was a questionnaire on the subject. In response to this letter the committee received replies from 76 cities in 18 different states. The questions bore upon details relative to the form in operation in the various cities. Among other things the committee inquired what attitude the Socialists in the community had taken regarding the commission form, whether

they were in favor or opposed to it. In answer to this question, 13 locals reported that they favored the commission form of government. Twenty-seven locals reported that they were opposed to it. Nine others reported that they were in a general way opposed to the commission form. Four locals reported that they were divided among themselves, some favoring and some opposing it. Fifteen locals reported that the comrades of their community had taken no attitude whatever, one way or the other. From this it will appear that there is no consensus of opinion among the Socialists of the country that refers to the commission form. The party is now officially studying the subject through a committee on state and municipal action of which Carl D. Thompson, city clerk of Milwaukee under Mayor Seidl, is chairman.

CLINTON ROGERS WOODRUFF.



Butte Socialist Administration Commendable.¹—Butte, like many other American cities, suffered from misgovernment and graft until hope for betterment under the old parties was lost and the citizens elected a Socialistic administration under Mayor Duncan. It is said the new administration has made the city clean morally and physically. For the first time in the history of the city, the streets and alleys are clean and sanitary, and it has been shown that infant mortality due to unclean conditions has been almost eliminated. Streets have been graded, traffic regulated, adequate police protection provided, city employees compelled to be efficient, and, as a result of good honest management all around, the city itself lifted out of bankruptcy to a position of good credit.



Baltimore Election Fraud.—Baltimore has been making a vigorous effort to eliminate a number of serious municipal

shortcomings, and is now especially engaged in correcting the faults of her elections. The movement was started by a recent candidate for the office of sheriff who knew he was popular in one of the precincts of a ward and yet was not credited with a single vote in it. A little quiet work gave him evidence that the election officers had falsified the returns and a general opening of the ballot boxes revealed that the unsuccessful candidate had been fraudulently deprived of hundreds of votes. The election officers have drawn prison sentences, ranging from one to two and a half years, and the incident is not yet closed, for a general election housecleaning is in progress.



Kansas City Parks and Politics.—D. J. Haff, for 20 years a member of the park board of Kansas City and one of the men responsible for the policy which has made the parks of that city the talk and admiration of the United States, has been removed from office by the present mayor of the city because of his Republicanism. Commenting on the action of the mayor the *Kansas City Star* said:

It is no reflection on anyone else to say that if there were a vacancy on the park board Mr. Haff would be the best equipped man in the city for the place. His name would be the first to occur to any person familiar with the situation. He has earned the absolute confidence of all his fellows. The town has been fortunate in having such a public servant. This is the type of man whom the mayor has removed. Of course, there is just one reason for the act. The politicians couldn't use Haff! So they had to get rid of him.

Ordinarily a change in a park board of a city is a matter not calling for chronicling in the NATIONAL MUNICIPAL REVIEW but the removal of so capable a man as Mr. Haff for political reasons calls for mention and comment. If our parks and schools are to be subjected to the spoils system civic workers will have reason to pause and consider.

CLINTON ROGERS WOODRUFF.

¹ Based on communication of A. J. Clark.

San Antonio is Overturned.—Eight days before the fall primary in San Antonio, Texas, the Citizens League of that place placed in the field a candidate for the office of mayor and won by a thousand majority, carrying with him representatives to the state legislature, all of whom are committed to work for the passage of a bill giving the city a commission form of government. San Antonio is

the last of the larger communities in Texas to throw off the domination of corrupt politics.

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The New York Police Situation.—The New York police situation will be treated at length in a future number of the NATIONAL MUNICIPAL REVIEW when the pending investigation has progressed further.

V. CONFERENCES AND ASSOCIATIONS

International Municipal League.—At the twelfth annual convention of the Union of Canadian Municipalities, held at Windsor, Ontario, the following resolution was adopted:

That the National Municipal League, the League of American Municipalities, the Board of Associated Municipalities of England, the London County Council, The Association of Scottish Burghs, the South African Municipal Association and such other municipal bodies as may be found advisable, be invited by the Union of Canadian Municipalities to join with it in establishing an International Municipal Union, or League, for friendly intercourse and public advantage; and that the details be left to the Executive Committee with full powers.

The matter of organization is proceeding, and the secretary of the National Municipal League, Clinton Rogers Woodruff, has been asked to act as secretary.

W. D. LIGHTHALL.¹

*

International Congress on Hygiene and Demography.—For health officials, sanitary engineers, chemists, bacteriologists, physicians, sociologists and a host of other classes of men and women interested in public health, Washington, D. C., was a veritable mecca in September, 1912. The great magnet which drew people from all parts of the civilized world was the Fifteenth International Congress of Hygiene and Demography, which occupied the full week, September

23 to 28. This magnet also drew to Washington, the previous week, the American Public Health Association and the Conference of State and Provincial Boards of Health. Coincident with the congress, in fact opening before and closing after it, was a notable health exhibit.

If those in attendance on the convention of the American Public Health Association, the previous week, were troubled by the embarrassment of riches afforded by five sections and 133 papers then certainly the nine sections and 450 papers of the congress put those who had to choose from its program at their wits' end. The congress program alone filled about forty pages, while the advance copies of official abstracts of a *portion* of the papers made a volume of 297 pages. The program and abstracts were printed in English, French and German. It is expected that the full Proceedings will run to 3000 pages. Doubtless they would be even more voluminous had the informal discussions been reported by shorthand. Instead of being so recorded each speaker was supplied by the section secretary with slips of paper and asked to write out his remarks in abstract—a course well calculated to reduce the bulk of the Proceedings and to devitalize the discussions.

Some idea of the scope of the program may be gained from the names of the nine sections and two sub-sections:

I. Hygienic Microbiology and Parasitology.

¹ Montreal.

II. Dietetic Hygiene; Hygienic Physiology.

III. Hygiene of Infancy and Childhood; School Hygiene.

IIIa. Subsection on Mental Hygiene.

IV. Hygiene of Occupations.

V. Control of Infectious Diseases.

VI. State and Municipal Hygiene.

VIa. Subsection on Sex Hygiene.

VII. Hygiene of Traffic and Transportation.

VIII. Military, Naval and Tropical (Colonial) Hygiene.

IX. Demography.

President Taft, in his address, entered into the spirit of the modern health-protective campaign. Besides reviewing some of the splendid work of our government in combating disease in Cuba, Porto Rico, the Philippines and the Canal Zone he spoke of what yet needs to be done at home.

The section dealing with traffic and transportation considered the sanitation of street and steam railways, ships and shipping. The section which covered hygiene of occupation took up the city smoke nuisance, safety devices, occupational diseases and many other topics.

*

American Civic Association.—The 8th annual meeting at Baltimore, November 19, 20 and 21, had its usual widespread and distinguished attendance and its usual crowded and influential program.

Baltimore is at present undergoing many significant civic changes. The Women's Civic League has much to do with these on the one side, and the city administration on the other. Both were adequately represented. "A Study in Gardens and Garbage" was effectively illustrated by Miss Hailean James, the secretary of the League, and "The Advance in Smoke Abatement" quite as effectively presented by Mrs. Frick, chairman of the committee which has undertaken that work. Chief Engineer Shirley of the topographical survey

commission, made a significant address on "Spending to Save in City Planning," while a visit through the city's parks to Roland Park, admittedly the most notable suburban development in the United States, was illuminating.

Many notable matters were discussed at the convention. The secretary, Mr. Watrous, presented, and President McFarland commented on the present situation of the Niagara preservation effort begun by this Association in 1905, from which it appears that "saving Niagara on the installment plan" is an arduous process.

Ambassador Bryce delivered an epoch-making address on "National Parks the Need of the Future," in which he argued for the preservation and extension of these parks, concluding with the following propositions:

In the first place, the world will last a long, long time, and we ought to make provision for the future.

Secondly, the population of the world goes on constantly increasing, nowhere increasing so fast as in North America.

Thirdly, a taste for natural beauty is increasing, and, as we hope, will go on increasing.

Fourthly, the places of scenic beauty do not increase, but, on the contrary, are in danger of being reduced in number and diminished in quantity, and the danger is always increasing by the desire of private persons to appropriate these places.

Therefore, from these propositions I draw the conclusion that it is necessary to save what we have got, and to extend the policy which you have wisely adopted, by acquiring and preserving still further areas for the perpetual enjoyment of the people.

Let us think of the future. We are trustees of the future. We are not here for ourselves alone. All these gifts were not given to us to be used by one generation, or with the thought of one generation only before our minds. We are the heirs of those who have gone before, and charged with the duty of those we owe to those who come after, and there is no duty which seems to be higher than that of handing on to them undiminished facilities for the enjoyment of some of the best gifts that the Creator has seen fit to bestow upon His people.

Hon. Walter L. Fisher, secretary of the interior, who presided at the session at which Ambassador Bryce spoke, referred at some length to the present situation of the national parks and to the urgent need for national legislation to bring about the creation of a national bureau of parks.

The intimate side of park management was treated in a novel fashion by George A. Parker, superintendent of parks at Hartford, Connecticut, in his proposition to make public parks self-supporting without curtailing their freedom and usefulness. In a series of carefully worked out calculations Mr. Parker proposed to use the recreational impulses of a public beneficently toward the end in view.

City planning, of course, came in for much attention. President McFarland's address, entitled "Not Only the City Beautiful," was a plea for such comprehensive planning as will secure beauty as an incident to efficiency. J. C. Nichols, of Kansas City, contributed much to city extension by detailing his method of "creating a neighborhood by planning." A symposium on capital cities brought out an admirable statement by Hon. Henry B. F. Macfarland, concerning the progress of the federal capital, and a showing by Walter Burley Griffin, the successful competing architect, of his idea in "Planning a Capital for Australia."¹ Mr. Griffin's planning was extended and intimate, so that in addition to the features of appearance he as thoroughly considered and carefully presented the details of community efficiency.

At a session presided over by Mrs. E. W. Biddle, vice president, the good work of women was prominently brought forth, including effective fly fighting crusades.



The American Public Health Association is one of the oldest of the many organizations of the country (actually

the United States, Canada, Mexico and Cuba) devoted to human welfare and at the same time closely related to municipal affairs. The Association held its fortieth annual meeting in Washington, September 18 to 20, just before the International Congress of Hygiene and Demography. That public health is now a broad and diversified subject is shown by the fact that the Association is now organized in five sections and that no less than 133 papers were presented before these five sections and before the general sessions at the Washington meeting. The five sections are: (1) Laboratory; (2) Vital Statistics; (3) Municipal Health Officers; (4) Sanitary Engineering; (5) Sociological. All of the sections have been formed within ten years or so and the Sanitary Engineering and the sociological sections were organized only a year ago and had a place on the program for the first time this year. Notwithstanding the many sectional meetings the Washington program was so overloaded, in all sections except the sociological, as to give little or no time for informal discussion. But this was partly offset by the fact that many of the papers presented different phases of the same general topic, thus producing an organized full discussion. The presentation of papers was limited to five minutes each, although many of them would have required much more time had they been given in full. The speakers, it may be added, were not held rigidly to the time limit.

As to garbage collection and disposal, one division held that this has little relation to public health and that whether it has or has not actual executive work should be in the hands of the street or public works department while the other division was equally positive that this service is a vital health function and should be administered by the health department. In general, the line of division as regards both sewage and garbage threw the physicians on one side and the sanitary engineers on the other, the physicians arguing for a counsel of perfec-

¹ See NATIONAL MUNICIPAL REVIEW, vol. 1, p. 718.

tion and basing their argument largely on generalities and leaving cost out of account, while the engineers took into account the existing body of practical and theoretical data, weighing costs against health-protective results achieved and considering particularly how to make each dollar spent go the farthest in saving lives.

The sociological section made its advent modestly, holding only two sessions and confining itself to a few papers at each of these. As chairman of this section, John M. Glenn¹ stated that the object of the section is to beget mutual understanding and coöperation between health officials and social workers. The papers and discussions showed that one of the obstacles to such coöperation is a lack of the mutual understanding urged by Mr. Glenn. A constructive paper by Prof. Selskar M. Gunn, of the Massachusetts Institute of Technology, Boston, Mass.,² outlined a plan for utilizing policemen for the daily sanitary inspection of premises, reports to be made to the health department for further investigation where needed.

For the first time in its history of two score years the association elected an engineer instead of a physician as president: Rudolph Hering.

M. N. BAKER.



The American Society of Municipal Improvements held its nineteenth annual convention in Dallas, Texas, on November 12-14. Among the one hundred and twenty-five out-of-town members who attended the convention were many municipal engineers and city officials from practically all the leading cities of the United States and Canada. Papers were read on the following topics: A system of park accounting, the city economic, standard forms for municipal utilities, sewerage and sanitation. The convention added a committee on fire

prevention. Mr. B. E. Briggs, of Erie, Pa., was chosen president for the ensuing year, with A. Prescott Folwell, of New York City, as the secretary.



The League of American Municipalities held its sixteenth annual convention in Buffalo, September 18 to 20. Among the subjects discussed were: "Relations of the Library to the City," by John Cotton Dana, of Newark; "City Charters and the Short Ballot," by Harold S. Buttenheim, editor of *American City*; "Lowell's Experience under Commission Government," James E. O'Donnell, mayor, Lowell, Mass., which led to a spirited discussion in which the merits and weaknesses of commission government were again pointed out. Among other things that Lowell had accomplished under the plan, the mayor declared that they had freed the city from debt and saved \$50,000 in the first year. John MacVicar asserted that "the citizens of Des Moines are more largely in favor of this form of government now than they were at the time of its adoption. Most of the predictions of ills that were to come to the city because of the adoption of commission government have failed to materialize and many of the benefits predicted by those who favored the change have been realized." Councilmen from Fort Worth, Texas, and Omaha, Nebraska, both added their testimony, to the effect that the commission plan was in every way an improvement and that their citizens would under no consideration return to the old plan. A councilman from Tacoma pointed out that that city has already secured great improvements under the new form—improvements which their citizens had been unable to obtain for fifteen years under the old system.

The League, before it adjourned, gave unqualified endorsement to the plan of home rule for cities.

The following officers were elected: John P. Ryder, Omaha, president; Robert E. Lee, Baltimore, secretary; C. J.

¹ Russell Sage Foundation, New York City.

² See NATIONAL MUNICIPAL REVIEW, vol. 1, p. 49.

Steiss, Fort Wayne, treasurer. The next convention will be held in Winnipeg, Canada.

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New England Water Works Association.—This association, held its thirty-first annual convention at Washington, D. C., on September 18 to 20. The attendance of active members numbered about a hundred, besides whom there were present even more associate members (manufacturers and supplymen and guests). As usual, the program was selective and limited, thus giving ample chance for fruitful discussion. Most of the half dozen papers presented had to do with the state control of dams and water power development and public service corporations. In general, all three lines of control were favored by those who presented and discussed papers.

Both in popular and in technical interest the marked feature of the convention was a paper on the failure of the dam at Austin, Pa., which caused a great loss of life and property in September, 1911. This was a volunteer paper by the engineer responsible for the design of the dam, T. Chalkley Hatton, of Wilmington. The paper, while correcting some misconceptions, was not so much a defence as it was a frank, whole-souled confession of two great mistakes: (1) Failure to consult an engineer more experienced than himself in dam foundations, and (2) his not insisting that his clients (the owners) permit him to design a dam with a heavier cross-section. The concrete composing the dam was good, Mr. Hatton stated, and the construction was done under the direction of a competent supervising engineer, responsible to Mr. Hatton.

*

Joint Water Pollution Conference.—On October 23 and 24 there met in joint sessions at Cleveland the National Association for Preventing the Pollution of Rivers and Water Ways and the Great

Lakes International Pure Water Association. Each of these organizations has been in existence only a few years and as the general object of each is similar it seems likely that they will be merged into one association within a year or two, steps to that end having been taken at Cleveland.

Most of the papers at the Cleveland conference related to the pollution of the Great Lakes, with particular reference to public water-supplies. The physicians present (mostly health officials) were as a rule insistent on excluding all crude or untreated sewage from the Great Lakes and on treating such sewage goes into those lakes so it would have a relatively high degree of purity. The engineers in attendance regarded sewage treatment as a means for preventing nuisance rather on a way of keeping or making public water-supplies safe; and for the latter would place far more reliance on water purification than on sewage treatment. The engineers were not opposed to spending money for sanitary protection wherever needed but urged the necessity of making each dollar expended do the greatest possible amount of good.

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Autumn Meetings of Civic and Municipal Interest.—There is no better criterion of the keen interest now being taken by cities and civic bodies in governmental affairs than the increasing number of organizations and meetings held to further civic, social, and municipal ends. And the most wholesome sign is that these meetings and organizations are discussing specific problems in a scientific way. This means the creation of a body of accurate information and the development of trained men with a civic and community point of view as distinguished from merely a business or corporate point of view.

League of Virginia Municipalities. The seventh annual convention met at Alexandria on September 17. Home rule, civic planning, good roads, and com-

mission government received the larger amount of attention. The officers chosen were: President, Mayor John W. Woods, Roanoke; secretary and treasurer, L. C. Brinson, Portsmouth.

The League of California Municipalities held its fifteenth annual convention at the University of California, Berkeley, during the week commencing September 23. The department meetings were especially successful. A uniform system of accounting for small municipalities was prepared by the clerks, auditors and assessors. The department of engineers and street superintendents discussed light traffic pavements and the Imhoff tank for sewage disposal. Resolutions were adopted favoring a modification of the law on direct legislation and the recall, and also favoring the use of the preferential system of voting and the grant by the state of authority to make use of the doctrine of excess condemnation.

Two-thirds of the cities and towns of California are now represented in the League, which is becoming a factor of prime importance in securing civic standards and municipal efficiency throughout the state.¹ The public welfare exhibition, conducted in connection with the meeting, was especially significant and suggestive. There was also a pure food exhibit.

The League maintains headquarters and an information bureau in San Francisco where any city official in the state can secure information relating to municipal affairs. The officers for the following year are to be: president, Mayor Frank K. Mott, of Oakland; secretary, H. A. Mason.

League of Iowa Municipalities. The annual meeting was held at Sioux City, September 24 to 26. The topics of chief importance were: Taxation, fire prevention, sanitation and commission government. The address on commission

government was delivered by Clem F. Kimball, of Council Bluffs, who advocated certain changes in the Iowa Commission law. A. A. Smith, of Sioux City, was chosen president and Frank G. Pierce, Marshalltown, secretary. The meeting next year is to be at Marshalltown.

The Municipal League of North Dakota came into existence this year. The organization meeting was held at Grand Forks on September 27. Another meeting will be held at the same place on January 15, 1913. The officers chosen were: President, M. F. Murphy, Grand Forks; secretary, Charles Evanson, Grand Forks.

The Third Class Cities of Pennsylvania were represented at a meeting at Harrisburg on October 2, the prime purpose of which was to approve a statute for the commission form of government for the third class cities of the state. This bill is to be submitted to the legislature next January. Special addresses were made by Clinton Rogers Woodruff and Richard S. Childs.

The statute adopted had to be applicable to all cities of the third class in the state, varying in population from 6000 to 96,000, twelve having a population of less than 30,000, and twelve a population of from 30,000 to 96,000. To meet this situation, the proposed statute provides that the salaries to be paid to the commissioners and to the mayor, within certain maximum and minimum limits, are to be determined by ordinance in each city. By slightly reducing the salary of the mayor and councilmen any city can, without materially increasing the cost of administration, provide for a general manager. Hence the general manager scheme of government is contemplated certainly for the smaller cities, if not for the larger.

The statute provides for a compulsory referendum on all franchise grants. The referendum is permissible on all other subjects upon petition of 10 per cent and the initiative upon petition of 15 per cent. The plan provides that the mayor

¹ See article of H. A. Mason, the secretary. NATIONAL MUNICIPAL REVIEW, vol. 1, p. 603—EDITOR.

is to be chosen for a four-year term and the councilmen for a two-year term, all elected at one time.

The League of Kansas Municipalities held its fourth annual convention at Salina on October 9 and 10. Legislation on weights and measures, suggestions for a municipal franchise policy and water supplies were discussed by university men. The subject which received most attention was home rule. Of special importance to those interested in the regulation of municipal utilities was the League's resolution that the power of the state utilities commission should be decreased. An increase in the veto power of local municipalities, however, cannot fail to block the effectual development of inter county and inter urban utilities.

What will amount to an amendment to the Kansas commission law, if carried out, was the resolution requiring that each candidate for commissioner should thereafter specify on the primary ballot what commissionership he especially desires. The present Kansas law, following the Iowa law, provides that the department shall be specified after the meeting of the commissioners, and that the ballot shall contain the names of commissioners only, without any reference to the department that they are to supervise. This method has not secured competent men for administrative positions. This defect will be overcome if each candidate will indicate in the primaries exactly what position he desires.

The following officers were selected: President, Mayor J. Dunkleberger, of Newton; secretary and treasurer, Prof. Richard R. Price, Lawrence. The next meeting is to be held in Kansas City, Kan.

The First Canadian National Congress on City Planning and Housing met in Winnipeg, Manitoba, in July. This congress, suggested and carried through by F. J. Cole, the town planning commissioner of Winnipeg, marked the climax of many initial efforts along this line. A significant event of the meeting was

the visit of the Governor-General of the Dominion, his highness the Duke of Connaught, who gave a spirited address in which he emphasized not only the necessity for improved housing conditions, but also the necessity for the education of the working classes to a sense of a proper appreciation of decent and sanitary living. The practical result of the congress was the formation of a Canadian housing and town planning association, under the guidance of which there is every prospect of the prevention of the errors made by many of the older communities.

American Association of Commercial Executives. The seventh annual convention was held at Washington, September 23 to 25. The convention was distinguished for its round-table sessions rather than for its formal program. The significant thing was the place that commercial organizations must take, not only in the development of a city's manufacturing and commercial prosperity, but in bringing about a full, all-around, municipal development. M. B. Trezevant of New Orleans was elected president.

The International Association for the Prevention of Smoke held a session in September, at Indianapolis. Jacob P. Brown, city smoke inspector, was elected president for the next year and John Krause, of Cleveland, Ohio, secretary and treasurer. The next meeting will be at Pittsburgh in September, 1913. Smoke-consuming devices was the most important subject for discussion.

There is in these meetings a goodly sum of conscientious endeavor, and in these papers and discussions a goodly store of information that should be conserved, not only to the organizations particularly affected, but to kindred organizations in all the states. The question may well be raised whether the maximum conservation of this interest and information cannot best be secured through the National Municipal League. The League, and its organ, the NATIONAL

MUNICIPAL REVIEW, could become the central organization and mouthpiece through which the efforts of all these organizations could economically be conserved and coördinated. The League headquarters could become a national clearing house and each state organization a state clearing house for information and suggestions of real municipal usefulness. Is it not time for definite action along this line?

CLYDE L. KING.¹



British Associations.—*British Municipal Engineers.* At the fourth annual meeting of the Institution in London, on October 11, the president's address was devoted to a consideration of the training of municipal engineers. He pointed out that he must have a broad training in civil and mechanical engineering as well as in architecture. He emphasized the importance of practical work in the training and advocated the development of the inventive genius, while not minimizing the importance of the purely theoretical work.

National Association of Local Government Officers. At the annual meeting at the Guilhall, London, on October 12, the main topics of discussion were the superannuation scheme and the examination system. As regards the former it was voted that all necessary steps should be taken to secure the introduction of a superannuation bill for local officers and to push the same until it became an act. The scheme proposed is a national one in application, but it does not look toward state subsidy. The central fund is to be formed by contributions from the employers and the employed. As regards the system of examinations recently inaugurated by the Association it was moved that officers who had already been in the municipal service a certain number of years should be given exemptions from examination. This was urged as necessary for the protection of

the older men in the service, but the motion was lost by a vote of 38 to 37.

Association of Municipal Corporations. At the fall meeting held at Guilhall, London, on October 11, 130 municipalities were represented. The main business of the meeting was the consideration of a report by the law committee criticising the mental deficiency bill. This measure, fixing the responsibility of municipal corporations with respect to inhabitants who are mentally deficient, was criticised from several points of view. There was objection to the central commissioners provided as being unnecessary in view of the functions of the lunacy commissioners. The financial provisions of the bill were particularly objectionable in the opinion of the committee, because, although this was regarded as a purely national service, the financial burdens were to be imposed largely on the local corporations. The committee were of the opinion that at least two-thirds of the expense should be borne by the exchequer. A further objection was urged to the provision for a government audit in this matter as being an encroachment on the autonomy of the local corporations. A system of professional audit by officials chosen by the municipality was recommended instead. This report was accepted by a large majority.

It was voted to submit to the various municipal councils for their consideration resolutions regarding the use of highways by heavy motor busses. One of these resolutions urged turning over the proceeds from petrol and other taxes on such vehicles to the local authorities whose roads are so used. The other recommended giving to the local authorities the power to limit and define the routes to be used for such traffic; this being of a nature to which all highways were not suited.

H. G. JAMES.²



The Union of Canadian Municipalities held its twelfth annual convention in

¹ University of Pennsylvania.

² University of Texas.

Windsor on August 27-29. The significant thing about the Union of Canadian Municipalities is that it is really a central federation of many district unions. To this central federation delegates are sent from the unions of Ontario, British Columbia, Nova Scotia, Quebec, Alberta, New Brunswick, Manitoba, Saskatchewan, and Prince Edward Island Municipalities. *The Canadian Municipal Journal* is the official organ of each of the local unions as well as of the Central Union. Such might well be the relation between the National Municipal League and the various state municipal leagues in the United States.

The questions of taxation, single tax, moving picture shows, public utilities,

electric franchises, natural gas, government by commission, and a report on uniform municipal accounting and statistics were some of the most important and significant papers discussed. A paper on "Exempted Government Properties in Canadian Cities and Towns" showed that the government properties, provincial or dominion, exempted from taxation by Canadian cities and towns, ranged from 8 to 31 per cent of the total assessed valuation of the property in the city. The author of the paper recommended subsidies from the province or the dominion in order to enable the city to compensate itself at least for the cost of giving to these buildings fire and police protection.

CLYDE L. KING.

VI. EDUCATIONAL AND ACADEMIC

Cleveland's Municipal University.—The establishment of a municipal university is at present only one of Cleveland's dreams. The Western Reserve University, the Case School of Applied Science, schools of law, medicine and art exist on the one hand. On the other hand is a great growing city of more than half a million people. It has seemed to some of the officers of the separate institutions and of the city that by coördination and coöperation, the life and culture of Cleveland could be better and more efficiently served.

The students of engineering could have the practical advantage of real service in the varied engineering enterprises of the municipality. The city hospital could be associated with an enlarged school of medicine and surgery. The health department with a school of hygiene. The charities and correction departments would be a vital part of a school of philanthropy. The 2000 acre farm, on which are grouped the city's institutions could become an experiment station for scientific agricultural training. The shops and factories could work with trade school departments. The

municipal government itself could be a part of the school of civics.

The university will have the outlook into the living present. Its teaching will relate itself to the social life. It will help to create an atmosphere of high ideals of culture and service. The city will have expert counsel always at hand. It will also be enabled to give to its children the fullest opportunities for culture, for growth and development in the best things of our modern life.

The social forces and resources of the municipality will be back of the university. It will be mutually advantageous. It is now scarcely more than a movement. It may take a number of years to realize the dream but twenty-five years is not long in the life of a city.

HARRIS R. COOLEY.¹



A General Municipal Reference Bureau.—The People's Institute (50 Madison Avenue) New York, have announced the organization of a municipal efficiency and reference bureau under the direction

¹ Director of Charities and Correction, Cleveland.

of Frederic C. Howe, with whom are associated Mr. John Collier, for many years connected with the recreation and leisure time departments of the Institute, and Dr. Carol Aronovici, formerly director of the bureau of civic and social research of Providence, R. I. The purpose of the bureau is systematically to create a service, which has been for years supplied in an unorganized way by the Institute to cities and associations desiring assistance on specific municipal problems. The object is to create a clearing house through which municipalities will be able to secure experts and experts will be able to secure employment on special problems and the making of municipal and social surveys. The whole municipal problem has been changing its character in recent years. Upwards of a hundred cities have undertaken town planning projects. As many more have had surveys made coupled with "know your city" weeks in which housing, recreation, playground, school and other conditions of the city have been brought to public notice. These surveys have been made in different parts of the country, but up to the present time no organized association has undertaken to serve as a clearing house for this activity or to establish standards of conditions or to organize and promote the idea.



Cincinnati Municipal Exhibit.—The thousands of citizens of Cincinnati that daily crowded the quarters of the municipal exhibit which were open to the public two weeks from October 1 justified the belief of the organizers of the exhibition that the residents of the city were anxious to know where the money taken from them by taxation went. The exhibition took as its primary purpose an exposition of how the city tax income is expended. By displays, charts and diagrams practically every department of municipal administration was represented. Displays of the police depart-

ment, illustrating Bertillon methods and gambling and other violations of the law attracted lively, interested groups. Displays of the health department, exhibiting in all their seriousness, the high infant mortality of the city, the unsanitary conditions prevailing in many sections, and showing how to eliminate the fly and mosquito evil, taught important municipal lessons.



"Memphis Commission Government" is the title of an official publication issued by the city of Memphis. Beginning with the November number it will take up the publication of official reports covering the years 1910-1911 comprising the first term of commission government in Memphis. The city departments will be taken up one at a time, thus giving the reports to citizens and taxpayers in such form as to permit thorough reading within a short time.



Dayton Bureau of Municipal Research.—Through the assistance of President John H. Patterson, of the National Cash Register Company, a bureau of municipal research has been established in Dayton at 602 Schwind Building, with Dr. B. Frank Garland as president and Miss A. I. Dilks as secretary. Dr. Garland was previously president of the Central Council of Social Agencies of Dayton.



Denver Municipal Orchestra.—In the place of the small band that used to entertain the citizens of Denver, there will be a symphony orchestra of fifty pieces, which will give concerts in the Auditorium. On Sunday evenings, high class moving pictures will be included, and it is the suggestion of the chief executive of the city that prominent citizens be called upon to make appropriate fifteen-minute speeches at the gathering.

"The Somers System News" is the title of a new quarterly issued by the Manufacturers' Appraisal Company of Cleveland, Ohio, to give information concerning the principles and application of the Somers system of taxation of real property.



"American Municipalities."—The name of the *City Hall-Midland Municipalities* was changed to *American Municipalities* with the October issue. Frank G. Pierce continues as editor.

New York Continuation School.—According to report, 31,000 girls and 29,000 boys attended the continuation schools of New York during the past summer and kept up an exceptionally good daily attendance.



"Denver Municipal Facts," the earliest of the illustrated municipal publications, will hereafter be published semi-monthly under the title of *The City of Denver*.

VII. SOCIAL AND MISCELLANEOUS

Philadelphia Citizens Strike Blow at Loan Sharks.—It has been estimated that not more than 20 per cent of the people of the United States have such banking connections as would enable them to procure a loan in time of temporary stringency. The remaining 80 per cent are compelled to resort either to the pawn shop or to the loan shark, or else are driven to extreme privation through their inability to finance a temporary need.

The formation of a new institution to provide a dignified place at which the industrial classes may secure financial assistance has been inaugurated in Philadelphia by a group of professional and business men who have organized the Pennsylvania Loan Company. The plan of the company provides for three kinds of investment: First, capital stock of 2500 shares with a par value of \$100 each, which provides the funds for lending and whose dividend is limited to 6 per cent on the book value; second, certificates of investment, to be sold to the public after the stock has been subscribed in full and loaned out, in multiples of \$50 and upon which 6 per cent interest is guaranteed; third, installment investment certificates, resembling the certificates of investment except that they are paid for at the rate of \$1 per week and bear interest at the rate of 5 per cent after twenty-five payments. A bor-

rower desiring \$53 will subscribe for the installment investment certificate which will then be hypothecated as collateral for his loan. He must pay \$1 a week on his certificate, so that at the end of fifty weeks, his certificate becomes full paid. He can then retire his loan by cancelling his certificate. As additional security every borrower will be required to secure indorsements to his paper, but there will be no assignment of furniture, salaries or personal property. The only interest charge will be 6 per cent upon the principal of the loan.

The advantages of the foregoing plan are said to be that it makes a reputation for honesty and reliability a real asset even to the poor man, for he will have to be well thought of in order to secure his endorsements; it encourages thrift by providing for weekly payments, which may be applied to the payment of debts, following the well-known principle of building and loan associations; it may transform the applicant from a borrower to an investor, by giving him an opportunity to become a holder of a permanent interest bearing investment certificate, which he can withdraw or borrow upon at any time.

FRANKLIN SPENCER EDMONDS.



Montreal's Child Welfare Exhibition.—The Montreal child welfare exhibition

which closed October 22 was notably successful. In a graphic way the exhibition took up the child problem and presented the evils that press upon every hand upon the child in the city, demonstrating the startling mortality due to congestion of population, unsanitary conditions and bad housing. The City Improvement League, the city department of contagious diseases, the Playground Association, the Humanitarian Society and the Society for Organizing Charity coöperated in showing the citizens the urgent needs of the children of the city.

At the opening of the Quebec legislature November 5, reference was made in the speech from the throne by the lieutenant-governor, Sir Francis Langelier, forecasting coming legislation in the following extract:

Thousands of fathers and mothers visited the child welfare exhibition, which was very successful and cannot fail to contribute largely to the decrease of infantile mortality. The government has noticed with pleasure the interest aroused by that exhibition and proposes to call your attention to the measures to be taken to render it as effective as possible.

*

The Use of Police Dogs.—The October issue of the *Journal of Criminology* contains a comprehensive summary by Dr. Leonard Felix Fuld of the use of police dogs in the pursuit of criminals. According to Dr. Fuld, a transfer of a peculiar human odor caused chiefly by sebaceous acid is made by impression of either foot or hand and greatly augmented by perspiration due to hurry, rage or intoxication. Criminals consequently leave more redolent clues at the seat of crime than ordinary men. It has been found impossible to render the feet and hands free from the odor, and a trained dog is able to follow it under the most complicated conditions of smell. Nevertheless the science of police dogs cannot dispense with the assistance of other methods of criminology. The mere pointing of the dog to a person is not

sufficient to determine that he is the criminal. There must be additional evidence. In the future the criminal who has been trapped by a police dog will not confess so readily as in the past when the ability of the dog surprised and astonished him. But while in time the police dog will lose his power to make an impression he will continue to furnish sure and reliable assistance to police authorities.

*

Portland Vice Crusade.—The Portland vice commission has been conducting a thorough investigation of the vice conditions prevailing in Portland, and found itself justified in classifying four hundred and thirty-one hotels and apartment houses as immoral places. The commission greatly deprecates the fact that property owners have no sense of responsibility when their property is used for immoral purposes, and strongly recommends that property owners be compelled to put a name plate on their property and that hotels be compelled to give bond to be forfeited if disorderly persons are harbored. It urged also that registration at a hotel under a fictitious name ought to be a misdemeanor.

*

Denver Morals Commission.—Mayor Arnold, of Denver, has appointed a morals commission, with Dr. H. F. Rall, president of the Iliss School of Theology, as president. Among the members of the commission are Judge Ben B. Lindsey, of the juvenile court; David H. Fouse, of the civil service commission; Harry W. Purington, of the charity board; and George Creel, of the fire and police board.

*

Glasgow's Employees.—On September 5, the Glasgow city council adopted the report of a special investigating committee recommending that the committees of the various departments of the corporation should hear any workman

who considers he has been wrongfully dismissed from the department, and who desires to be so heard. In Glasgow the city master of works and the inspectors have large powers of independent removal over persons employed under them.

The American Civic Association (Union Trust Building, Washington, D. C.) is arranging for a tour of Europe next summer, and the **International Civic Bureau** (1 Madison Avenue, New York) is offering four short tours in Europe at the same time.

VIII. PERSONAL MENTION

Dr. Herman G. James, son of President Edmund J. James of the University of Illinois, has been elected adjunct professor of government at the University of Texas and has entered upon the duties of his position. He will have charge of the course in comparative constitutional law and a course in international law. Dr. James spent the past year in the study of the Prussian administrative system, collecting material for publication and during the summer of 1911 gave a seminar course in Leipzig on American constitutional history.



Prof. Frank G. Bates, formerly of the University of Kansas, has been elected associate professor at the University of Indiana and municipal reference librarian in the Indiana State Library. The position will be a joint one. It is expected that Professor Bates will develop the municipal side of the work and give aid to cities and towns whenever requested.



Robert J. Beacham has been elected secretary of the Merchants and Manufacturers Association of Baltimore to succeed Thomas G. Boggs. This organization which is affiliated with the National Municipal League gives considerable attention to municipal questions.



Jesse Cunningham, municipal reference librarian at St. Louis since the opening of the library, has resigned his position to become librarian of the School of Mines at Rollo. He is suc-

ceeded at St. Louis by Andrew Lynde Bostwick.



Mrs. Melville F. Johnson, a member of the National Municipal League's advisory committee, has been appointed a member of the art department of the General Federation of Women's Clubs.



Dr. Edward M. Sait, department of politics, Columbia University, has been made assistant professor. This year he is giving Professor Beard's courses during the latter's absence.



Dr. Clyde L. King, of the University of Pennsylvania, has been assisting the director of the department of public works of Philadelphia in certain investigations he is making.



Robert W. Belcher, formerly assistant secretary of the National Civil Service Reform League, has been elected to the secretaryship in succession to Elliot H. Goodwin.¹



Brand Whitlock, mayor of Toledo, Ohio, has sailed for Europe to obtain information to aid in framing charters for Ohio cities.



John Nolen has been retained by the city of Keokuk, Iowa, to prepare a new city plan for that city.

¹ See NATIONAL MUNICIPAL REVIEW, vol. 1, p. 639.

DEPARTMENT OF LEGISLATION AND JUDICIAL DECISIONS

EDITED BY JOHN A. LAPP

Legislative Reference Department of the Indiana State Library

RICHARD W. MONTAGUE, Esq., Portland, Ore.

In charge of Judicial Decisions

Inspection of Hotels.—Beginning with 1907, a considerable quantity of legislation has been passed designed to safeguard the public health by promoting and securing the cleanliness and sanitation of hotels, inns and public lodging houses, and providing for their periodical examination by authorized inspectors.

Prior to 1907, however, nine states, including Ohio, Montana, Florida, California, Illinois, Pennsylvania, Rhode Island, Utah and Vermont,¹ had enacted laws calculated in some measure to protect the traveling public from adulterated foods and from insanitary hotels and restaurants. These laws provide, moreover, for the adequate ventilation of sleeping rooms and for the free and unobstructed circulation of air; the fumigation and disinfection of furniture and bedding; the regulation of plumbing; the disposition of garbage and waste; and the rigorous inspection of all sources of water supply. The enforcement of the provisions of these laws is entrusted to state and local officers, and certificates are issued when conditions are found to be satisfactory.

The chief characteristics of the legislation enacted during and subsequent to 1907 consists in a combination of the most desirable features of existing laws, the extension of their application, the introduction of new and approved pro-

visions, and a system of inquisitorial examination by which infractions of the law are exposed and culprits subjected to punishment for their transgressions.

The first states to consolidate these inadequate and fragmentary beginnings were North and South Dakota in 1907; Oklahoma enacted a law in 1908; the two Dakotas amended their laws in 1909, and five other states, including Oregon, Washington, Kansas, Iowa and Missouri, passed similar laws; Virginia and Mississippi entered the field in 1910; Alabama, Idaho, Nebraska, Minnesota, Florida, Connecticut and Wisconsin in 1911, and Tennessee in 1912.

The laws of Idaho, Kansas, Missouri, Nebraska, North Dakota, Oklahoma, Tennessee, Virginia and Washington² are substantially identical. The consolidated provisions of these laws comprehend the entire scope of legislation on this subject.

Hotels, inns and public lodging houses must be well drained, plumbed according to established sanitary principles, kept clean, sanitary, and free from unwholesome effluvia, and all water closets must be frequently and properly disinfected.

Beds, bunks, cots and other sleeping places must be provided with pillow slips and under and top sheets; the undersheet must be of sufficient size to completely

¹ Ohio, Gen. Code, 1910, sec. 12797-8; Montana, Laws 1907, p. 432; Florida, Laws 1906, p. 501; California, Civil Code 1906, p. 743; Illinois, Revised Statutes 1912, p. 2175; Pennsylvania, Purdon's Digest, 13th Edition, 1700-1903, p. 2339; Rhode Island, General Laws, 1909, p. 417. Utah, Compiled Laws 1907, sec. 746 x 19; Vermont, Public Statutes 1906, sec. 5413.

² Idaho, Laws 1911, p. 620; Kansas, General Statutes, 1909, p. 893; Missouri, Revised Statutes, 1909, ch. 57, sec. 6716 ff; Nebraska, Laws 1911, p. 281 and Anno. Statutes, 1911, 9840 x 3 and 9840 x 4; North Dakota, Laws 1907, p. 188; Laws 1909, p. 165; Oklahoma, Laws 1907-8, p. 434; Tennessee, Laws 1911, p. 132; Virginia, Laws 1910, p. 341; Washington, Codes and Statutes, 1910, sec. 6030 ff.

cover the mattress; the top sheet must be as wide as the mattress, long enough to reach the entire length of the bed, and must be folded back over the other bedding at the upper end for a sufficient distance and in such a manner as to prevent the occupant's inhaling bacteria from germ-infected covering and protect him from contact therewith. Both sheets and pillow slips must be made of white cotton or linen, and must be changed after the departure of each guest. Quilts, blankets and other covering must be at least 6 feet in length and of sufficient quality and quantity. Beds, bedding and sleeping rooms used by transient guests must be kept properly aired, and must be disinfected at least once every 3 months, or oftener if the inspector requires it; the carpets therein must be taken up and thoroughly cleaned once or twice each year, and rooms and bedding infected with contagious disease germs, vermin or bed bugs, must be thoroughly fumigated and not re-occupied sooner than forty-eight hours after the disinfection. Each guest must be supplied with clean, individual towels, both in his private room and in the public wash room. The use of "roller" or "endless" towels in public wash rooms is forbidden.

Kitchens, dining rooms, and all places where food is kept or stored must be kept clean and sanitary, and the use of rusted tin or iron ware in cooking is prohibited. Drinking water must be free of disease germs, and if taken from tanks or cisterns they must be securely screened with wire gauze to prevent the entrance of flies, mosquitoes or other disease breeding insects. The floors, closets, cupboards, pantries, walls and ceilings of kitchens must be kept clean, wholesome, free from dirt, dust and grease.

All doors, windows, and other openings in hotels and kitchens must be properly screened during the warm months in such manner as to exclude flies and insects therefrom.

Provision is made for the annual or

semi-annual inspection of hotels, unless there is a change of proprietors, or on a written complaint signed by three or more patrons. The inspection fee varies from \$2.50 to \$25 per year, depending on the number of rooms in the hotel. Certificates are issued where the conditions are found to be satisfactory, and a set of books is kept for public inspection. The supervision of hotels is entrusted to the state and local boards of health and fire marshals, to the food and drugs inspectors, or to hotel inspectors appointed biennially or quadrennially by the governor. These officers are dependent on fees for their compensation or on salaries ranging from \$1500 to \$2000 per year.

The laws of South Dakota, Iowa and Minnesota¹ are much briefer and merely provide for the annual inspection of hotels by itinerant inspectors. In Oregon, Mississippi, Alabama, Florida, Connecticut and Wisconsin,² there is no periodical inspection of hotels, but otherwise the provisions of the laws are the same as those of the other states.

CHARLES KETTLEBOROUGH.³



Housing in Columbus, Ohio.—Two amendments have been made to the housing code of Columbus.⁴ By an ordinance approved June 17, 1912,⁵ formerly a tenement or dwelling house was allowed to occupy 50 per cent of an interior lot. The new ordinance increases the percentage to 60. The measurement for this percentage is taken at the ground level, with the exception (in the new amendment) that when the first story is used

¹ South Dakota, Laws 1907, p. 346; Laws 1909, p. 282; Iowa, Laws 1909, p. 161; Minnesota, Laws 1911, p. 265.

² Oregon, Laws 1909, p. 65, Mississippi, Laws 1910, p. 157; Alabama, Laws 1911, p. 44; Florida, Laws 1911, p. 141; Connecticut, Laws 1911, p. 1356 and 1505; Wisconsin, Laws 1911, p. 505.

³ Indianapolis, Indiana.

⁴ See NATIONAL MUNICIPAL REVIEW, vol. 1, p. 705.

⁵ Ordinance 26559, approved June 17, 1912.

for other than tenement or dwelling purposes, the measurement shall be taken at the second floor level. The provision that "outside stairs, fire escapes, porches and platforms shall be considered a part of the lot occupied" was repealed.

The second amendment to the code is an extension of the requirements relating to the yards for tenement houses. When the first floor of such a building is used for business purposes, the rear wall may be within five feet of the rear lot line, although the rear wall of the second story must be at least 18 feet (in corner lots, 15 feet) from the same line. Direct access must be provided by stairways from each story to the yard. The roof of the first story must be constructed so that tenants may use it, and it must have a closed railing or raised wall $3\frac{1}{4}$ feet high around the sides. A provision that for every story added beyond three, the yard must be increased in depth 2 feet, was repealed.

CHARLES W. REEDER.

✱

Public Health.—There is no field of municipal legislation in which there is so much activity as that of public health and hygiene. Its range is so broad and the matters with which it deals come so close home to all people that it is a prolific field for municipal ordinances, rules and regulations.

The public health and marine hospital service of the United States has been for two years collecting these ordinances for cities over 25,000 and printing them in their weekly report. There has been collected and published under direction of the surgeon general a volume of 244 pages covering the period from January 1, 1910, to June 30, 1911. The volume groups and indexes the ordinances making them readily accessible.

Legislation on public health and hygiene as shown in the ordinances published relates to the control of communicable diseases including notifications, restrictions, vaccination, etc., and spe-

cial action in such diseases as Poliomyelitis (infantile paralysis) and smallpox, prohibition of spitting in public places, licensing barbers and compelling shops to be sanitary; requiring street cars to be disinfected, cleaned and heated and prohibiting crowding; licensing and inspecting lodging houses and tenements; regulating public laundries and swimming pools; regulating the sale and storing of rags and second hand goods; prohibiting the common drinking cup; regulating the sale of food stuffs, including the place of sale, preventing adulterations, unwholesome food and regulating sale of special products such as ice cream, vegetables and especially regulating the production, transportation, marketing, storage, sale and quality of milk and milk products; regulating the slaughtering of animals and the sale of meats and providing for inspection; making special regulations for bakeries and regulating the sale of bakery products; regulating hotels and restaurants in regard to construction, care and maintenance and licensing them; providing complete codes for plumbing and housing; prohibiting cesspools, privies or regulating their construction; regulating stables and disposal of manures, and the keeping of domestic animals; providing for disposal of garbage and waste; prohibition or regulation of trades which are offensive, such as fertilizer factories, soap factories, tanneries, garbage reduction plants, etc.; declaring what are nuisances and providing for their abatement; prohibiting distribution of samples of proprietary medicines, pills or nostrums; regulating and licensing midwives and lying-in homes, requiring certificates of births, deaths and marriages; providing for organization of boards of health, or establishing office of health commissioner and miscellaneous provisions such as prevention of dust, single service towels, prohibition of roller towels, and medical inspection of schools.

The report states that a considerable proportion of the ordinances relate to direct control of known foci of communi-

cable diseases. "The part which regulations of this kind play in public health administration and the detailed exactness of their requirements may be expected to constitute a fairly accurate index of existing knowledge of the avenues by which these diseases are spread and of the improvement of the means at the disposal of health authorities for securing information of the existence of cases of disease which constitute foci of infection."



City Smoke Ordinances and Smoke Abatement.—Bulletin 49, United States bureau of mines issued in 1912, presents a comprehensive view of the status of smoke abatement ordinances in the cities of the United States with hints for further progress in the same direction.

Among the factors affecting smoke conditions and abatement work are the state of public opinion, existence or lack of proper ordinances, organization and personnel of the department, topographic and climatic conditions, character of fuel, extent and nature of industries, and the volume of railroad and steamboat business done. The problem in a city using fuel oil or anthracite is vastly more simple than in one where bituminous coal is extensively employed in such industries as brick kilns, annealing furnaces and puddling furnaces or in great railroad yards. It is estimated that 43 per cent of all smoke in Chicago is produced from locomotives, and 12½ per cent from the special furnaces above mentioned. To the present time the greatest progress in smoke abatement is among stationary boiler furnaces, a condition due to greater general knowledge of proper design and operation of these, and to the less exacting conditions surrounding their operation. Railroads present a difficult problem in connection with round houses and standing locomotives.

For a study of the question cities are divided into three groups: (1) those under 50,000 inhabitants; (2) those hav-

ing between 50,000 and 200,000; and (3) those of over 200,000 inhabitants. Of 240 cities of the first group, 12 reported either an ordinance or an official charged with inspection. Of 60 cities in the second class reporting, 17 are making an effort toward abatement. Among the 28 cities of over 200,000 inhabitants, all but five are giving attention to the subject, and of these five the general use of fuel oil in three practically eliminates the problem. The work has perhaps been carried on most successfully in Chicago and Des Moines, both of which have excellent ordinances and an efficient department.

A review of the situation in the 28 largest cities of the country reveals a wide variety in the content of the ordinances, the organization of the department, and the efficiency of the administration. The prohibition usually extends to "dense smoke" or "dense black or gray smoke." The demand of the law in Jersey City, Newark and Buffalo for practically smokeless firing gains little in effectiveness. Los Angeles sets the limit of density at "19 per cent black," and Rochester at 30 per cent, while Pittsburgh applies the Ringelmann chart test. In most cities dense smoke is permitted for limited periods ranging from five to ten minutes in each hour, though in Providence no limit is set on the frequency of the five-minute periods. In some instances favoring exceptions are made, as in Rochester where the prohibitions do not apply at all in certain early morning hours. Locomotives in transit through the city are excepted in both Rochester and Louisville. In Pittsburgh, exception in favor of new fires makes enforcement difficult. Buildings used exclusively for private residence are usually exempted.

Approval by the department of all new construction work and rebuilding, and the securing of a permit for operation are required where most effective progress is made. In St. Louis, Kansas City and Denver a defendant is permitted to show that no known device will afford

relief and in Kansas City the unreasonableness of the cost of installation may be offered in defense.

Usually the work of inspection is in the hands of a smoke inspector acting independently or directly under the mayor, though sometimes attached to the building department or the board of health. Buffalo largely vitiates the ordinance by dividing the enforcement between the inspectors of streets and the police. In Chicago there is a smoke abatement commission of citizens to advise with the inspector, and an advisory board of engineers to consult on technical matters. Portland, Oregon, and Kansas City have no inspector and New Orleans has neither ordinance nor inspector. The requirement in Chicago that the inspector must have technical training and experience in furnace construction and operation has not yet become general.

In no city today is public sentiment on the subject sufficiently strong for progress to be made with a strong ordinance rigorously enforced. Desiderata for an effective ordinance are a definite statement of permitted density according to some practical standard; a maximum allowed density which is practicable; the requirement of new installations in proper form; and a trained inspector free from other duties. In conclusion model forms of ordinances are printed in the bulletin together with those in force in Chicago, Pittsburgh, Des Moines, Milwaukee and Los Angeles, and the Massachusetts law on the subject, all of which contain features of especial interest.

FRANK G. BATES.¹



Firearms and Deadly Weapons in Chicago.—In a recent report made by the coroner of Cook County, Illinois, attention is called to the fact that during the years 1908–1911, 27 per cent of the suicides and 63 per cent of the homicides were caused by firearms. It is this offi-

cial's opinion that "aside from the murders committed by certain classes of our alien population the carrying of concealed weapons is directly responsible for the majority of the homicides. During the whole of my experience as coroner I recall but very few instances in which the homicide, or even the suicide, was deliberate, in nearly all cases it being the result of sudden passion and would not have occurred had not the slayer been armed."

On July 1, 1912, the Chicago city council passed an ordinance regulating the sale of firearms and other deadly weapons. The main provisions of the ordinance are as follows:

1. Dealers to be licensed by the mayor.
2. No weapons to be sold to minors, lunatics, habitual drunkards, or persons convicted of any crime.
3. All purchasers of weapons shall make and sign applications for the same on blanks to be furnished by the department of police to each licensed dealer.
4. Dealers compelled to forward application with a report of the sale to the superintendent of police.
5. Every dealer is required to keep a register of all weapons sold which shall show the number of the weapons, name, residence and age of purchaser, description of weapon and the purpose for which it was obtained.

An amendment to the New York firearms ordinance which is now before the committee on laws and legislation of the board of aldermen provides that any person may procure firearms solely for the protection of his household or premises upon making application to and receiving the permission of a city magistrate or the police commissioner or certain authorized subordinates of the latter.

FREDERICK REX.²



Firearms—Columbus, Ohio.—The regulation of the sale of firearms and other dangerous weapons is provided in an

¹ Indianapolis, Indiana.

² Chicago, Illinois.

ordinance approved May 7, 1912.¹ No person can sell within the city any pistol, revolver, derringer, bowie knife, dirk or other weapon of like character without a license. After securing the license, no person can sell these weapons to another person unless that one has a permit from the director of safety to purchase it.

Application for a selling license must be made to the mayor, and must contain the full name and residence, if an individual, or the name and residence of each member or officer, if a firm, and the place of business. The license fee is \$5. Every day before 12 o'clock noon, a report with numerous details, must be made to the director of public safety of every sale during the preceding twenty-four hours.

For the person desiring to carry weapons, permits are issued by the director of public safety. Applicants for these permits must give name, address, age, height, weight, complexion and nationality. The period of the permit is one year, and the fee is \$1. Permits are to be refused to all persons who have been convicted of crime, vagabonds and minors.

CHARLES WELLES REEDER.



Industrial Education.—The modification of our school system to meet the vocational needs of all who are able to profit by the instruction offered is the most striking tendency in school matters, especially in city schools.

The states of Massachusetts, New York, Maine, Wisconsin, New Jersey and Ohio have adopted advanced legislation while Indiana, Illinois, Michigan and Pennsylvania are considering the subject with certainty of early action. A special commission appointed under a legislative act will report in Indiana in January, 1913, while several interested associations have been promoting the subject in Illinois.

The movement for industrial and trade schools began in 1905 in Massachusetts

when a special commission was appointed to investigate the need and means of industrial education. Their report in 1906 resulted in legislation establishing a state board of industrial education and providing for the establishment by cities and towns of industrial and trade schools under separate boards of education. Wisconsin, in 1907, enabled cities to establish trade schools. The following year New York passed an act to provide for such schools under the regular school boards but with an advisory board representing local trades and industries. New Jersey, in 1908, created an investigating commission which reported in 1909. In 1910, Ohio passed an act enabling city school authorities to compel all children between fourteen and sixteen who had gone to work, to return to the day schools for at least five hours of instruction, wherever they had provided means for vocational education. Wisconsin went further in 1911 and required all children between fourteen and sixteen who are employed, to attend school at least five hours per week. At the same time they set up a complete system of industrial schools under separate management by a state board and by local boards consisting of two employees, two employers and the city superintendent of schools.

Massachusetts in the meantime had modified her system of separate schools so as to permit industrial schools to be established as a part of the regular school system or if the regular schools do not take it up, then the separate board may be formed.

State aid is granted in Massachusetts, Wisconsin, New Jersey, New York and Maine and it is proposed for both Indiana and Illinois. The amount varies from \$500 for the first teacher and \$250 for others in New York, to one-half the entire cost of maintenance in Massachusetts.

The distinct features in all of this legislation are:

1. State control through a state board and deputies.
2. State aid to approved schools.

¹ Ordinance 26498, approved May 7, 1912.

3. The schools are controlled in New York, New Jersey and Maine by the regular schools. In Wisconsin there is a separate system and in Massachusetts it may be either.

4. Compulsory education for all children between fourteen and sixteen who are not employed, and the tendency is for all who are employed between fourteen and sixteen to be required to return for further instructions.



Garbage in Columbus, Ohio.—New ordinances providing for the collection of garbage and rubbish have been passed.¹ Garbage has been defined as "any refuse accumulation of animal, fruit or vegetable matter, and any matter of substance used in the preparation for cooking, dealing in or storage of meats and fowls, fruits and vegetables, but not including corn husks and corn cobs."

Rubbish includes, "all discarded and useless matters, such as paper, straw, excelsior, rags, bottles, old clothes, corn husks and corn cobs, old shoes, tin cans . . . grass trimmed from lawns, brush from trimming shrubs and trees and mattresses. . . ."

Separate receptacles for these materials must be provided, and only certain things put in them. Garbage cans must be water-tight, of galvanized iron or other metal, with tight-fitting lid, and not over two bushels in capacity. Ash cans must be lined with or constructed of metal, have a water proof covering, and be in capacity of two bushels. Rubbish cans may be made of wood or metal, but must hold the contents without leaking. Their capacity is the same as the ordinary barrel. All the cans must be placed on the lots, not in alleys or streets, convenient for city employees to remove. CHARLES W. REEDER.



Taxing the Weeds in Los Angeles.—Twice a year in August and April, in

¹ Ordinance 26158 (garbage), approved May 13, 1912, and Ordinance 26159 (rubbish) approved May 7, 1912.

accordance with an ordinance of July, 1912, owners, agents and persons in possession of property must remove from their sidewalks, property, lands and lots all noxious weeds and vegetation, except such as are cultivated for use, ornament, food or fuel, all dead trees, tin cans, rubbish, refuse and waste material of all kinds which may endanger or injure neighboring property, or the health or welfare of the residents of the vicinity. Otherwise, the board of public works will remove all or any of these detriments to civic beauty and hygiene, and to insure payment for their removal and collection, assess the cost, together with 25 per cent thereon to be added to cover interest, upon the property.

This assessment is known as a "weed tax." All weed taxes unpaid on the last Monday of November of each year become delinquent and 10 per cent is added to the amount of the tax when thus delinquent and a delinquent list, with an accompanying alphabetical index of names is published once a week for three successive weeks in a Los Angeles paper, with a notice appended declaring that unless these taxes are paid in twenty-eight days from the date of the appearance of the first notice, the property on which they are assessed will be sold to the city. As costs of such publication, 50 cents is collected on each separate piece of land separately assessed.

All property delinquent on which the weed taxes and ensuing penalties have not been paid on the day fixed in the published notice, is sold to the city, and, if not redeemed within a year, a deed is drawn up conveying to the city the absolute title to the property.

To redeem the property within the year after it is sold to the city, the owner pays the weed taxes, penalties and costs due thereon and interest on the same at the rate of 7 per cent, all unpaid weed taxes assessed since the sale and also certain penalties varying with the time after the sale such payments are made.

ETHEL CLELAND.

Traffic Regulations.—The traffic regulations of Columbus, Ohio, have been extended by two ordinances, considered by many people, to be very drastic. One of these new regulations is aimed at automobiles. The ordinance¹ provides that all vehicles going in the same direction with streets cars, within the corporate limits of the city, shall not pass between the street car and the curb while passengers are getting off or on the cars, until the vehicle has first come to a full stop. The second regulation² is that no vehicle, except baby buggies, boys' sleds and play wagons, shall be used on the streets between the hours of sunset and sunrise unless it carries a light so arranged on the left side that it shows white in front and red in the rear.³



Dogs, Ordinances Regulating.—In September, 1912, James S. McInerney, Chicago's prosecuting attorney, in a communication to Mayor Harrison called attention to the vast increase in the number of persons bitten by dogs during the past five years. The number bitten during the first eight months of 1912 was 1377. Those who were victims of bites from dogs during the entire year of 1908 were 424 in number. The increase for the uncompleted year of 1912 over the whole of 1908 is 225 per cent and undoubtedly will exceed 325 per cent when the figures are complete for the entire twelve calendar months of the year. It is estimated that 75 per cent of the total number of bites show evidence of rabies.

That the dog is beginning to be considered a menace to public health and personal safety is shown by the large proportion of cities which have passed new ordinances regulating their possession. Chief among these may be instanced the ordinances proposed or

passed in the cities of Chicago, Detroit and San Francisco.

In addition to the section requiring the muzzling of dogs, which is a common provision in all city ordinances on the subject, the Chicago ordinance as introduced in the city council compels every "veterinarian or other person who discovers any dog or other animal to be suffering with rabies" to report the fact to the commissioner of health. A further provision makes it unlawful for any owner of a female dog to allow the same to run at large while in heat. The Detroit ordinance differs from the various ordinances passed in other cities by prohibiting the "harboring or keeping of any dog which by loud, frequent or habitual barking, yelping or howling shall cause serious annoyance to the neighborhood or to people passing to and fro upon the streets."

The San Francisco ordinance declares that "every dog not kept within a sufficient enclosure or led and controlled by a line, rope or chain, or not effectually muzzled so as to prevent such dog from biting persons or animals" shall be regarded as a public menace and impounded.

FREDERICK REX.⁴



Special Districts.—In 1911 the state legislature of North Dakota enacted a law⁵ which provides that "any city shall have power to create sewer, paving and water main districts and districts for the purpose of grading, graveling, curbing, planting trees, constructing grass plots, sowing grass seed, constructing gutters, or for the purpose of making one or more of the improvements herein mentioned, and maintaining the same within the limits of such city, which districts shall be consecutively numbered." To pay for such improvements special assessments may be made.⁶

¹ Ordinance 26699, approved July 15, 1912.

² Ordinance 26687, approved September 30, 1912.

³ Information on Columbus, Ohio, ordinance was furnished by Charles Wells Reader, Ohio State University Library.

⁴ Chicago, Illinois.

⁵ Laws 1911, chap. 70.

⁶ From I. A. Acker.

Dance Halls in Des Moines, Iowa.—A rather interesting experiment with the ever present dance hall problem has been undertaken in Des Moines. General regulations for public dance halls have been adopted forbidding certain objectionable dance customs. The enforcement of these regulations and other city regulations is put in the hands of two peace officers working under the direction of the city and paid by the city, one of these officers a man and the other a woman. The dance halls pay into the city treasury a sum sufficient to defray these expenses. The results so far seem to be very good.¹



Efficiency Bureau of San Francisco.—Upon recommendation of the civil service commission and the efficiency committee of the supervisors, the board of supervisors adopted ordinance 1958, approved July 9, 1912, creating a bureau of efficiency. The civil service commission will direct the work of this bureau so as to enable it to carry out the provisions of section 14 of article xiii of the charter, reading as follows:

The commissioners shall investigate the enforcement of the provisions of this article, and if its rules, and the action of the examiners herein provided for, and the conduct and action of the appointees

in the classified service in the city and county and may inquire as to the nature, tenure and compensation of all places in the public service thereof.

The mayor, auditor, the chairman of the finance committee of the supervisors and the chairman of the committee on public efficiency and civil service of the supervisors, constitute an advisory commission on efficiency.

E. R. Zion has been appointed director of the bureau and instructed to tabulate all positions under the city government, showing the title, nature and duties of each position, name of person holding same, salary tenure and any other information desirable. In other words, it is proposed that the efficiency bureau take stock of all services being rendered the city.

Each department is respectfully requested to furnish this information in such form as may be determined by the director.

The efficiency bureau has also been instructed to facilitate the use of the new forms for salary demands and warrants recently approved by the auditor. The civil service commission and the board of works are using them for the present month and other departments are expected to use them as soon as a convenient form can be agreed upon.

II. JUDICIAL DECISIONS²

De Facto Officer.—A doctrine of importance for the protection both of cities and of their citizens was applied in *Oakland Paving Company v. Donovan*, California.³ The defendant there sought to escape payment of a paving assessment on the ground that the acting superintendent of streets, who performed an essential part of the work of levying the assessments, was without lawful

authority in the premises. It appeared that the superintendent of streets was absent on a vacation at the time the assessment was made and that there was no such officer known to the law as acting superintendent of streets nor any provision of law for a substitute in the absence or inability of the superintendent. The court nevertheless held that since the acting superintendent was in full possession of the office in the absence of the superintendent, was performing that officer's duties within the scope of this office, holding himself out and

¹ From Hon. James R. Hanna, mayor.

² Prepared by Richard W. Montague, Esq., Portland, Ore.

³ 126 Pac. Rep. 338.

reputed to be legally exercising these duties, in charge of the books and records and recognized by the public as the officer he represented himself to be, his acts were valid.

*

Rights of Pedestrians in the Street.—In *Connolly v. City of Spokane* (Washington),¹ the city was held liable for an injury caused by trap doors in the sidewalk, though the unfortunate passer could not tell whether they sank beneath his weight and caught him or were opened from below without warning. The court, it is respectfully submitted, might properly have gone a good deal further and held that any accident traceable to trap doors in a sidewalk should be regarded in much the same light as if the person responsible for them had put a spring gun or a bear trap there. No community with the slightest regard for the rights of the public would tolerate such obstructions in a busy thoroughfare for a moment, and yet it is not uncommon to see a densely crowded street blocked by them, while a couple of lesiurely moving shipping clerks handle a few packages of freight. No one ever appears to think of raising any protest, but there is still hope that we may eventually come to recognize that pedestrians are not wholly without rights in the streets. Judgments for damages against cities, not generally in accordance with sound policy, certainly find their justification in such a case as this.

*

Use of the Initiative.—The unfortunate conflict which frequently arises between the necessity of maintaining an important general rule and the desirability of overlooking unimportant errors in its application is illustrated in *Palmberg v. Kinney* (Oregon).² The law for the exercise of the power of law-making by the initiative in the city of Astoria (as elsewhere in Oregon) provides that a

true copy of the title and text of any measure so to be submitted shall be printed, and, in the particular case, shall be distributed by pamphlet among the voters. The prime importance of such a provision, and of rigorous adherence to it, are obvious; without it the voter could never be sure of the actual form and substance of the measure upon which he was voting, and opportunity would be given at every hand for intolerable mischiefs in the alteration of pending measures. Yet it is not without a certain sense of disproportion of cause to consequence that we see a measure, providing for public improvements of prime importance to the city, which had been carried by a considerable majority, set aside and all that had been done under it declared void because, in lieu of one of the commissioners under the act, the name of another (who had been selected in case the first refused to accept) was substituted in the pamphlet spoken of. A most lame and impotent conclusion we can but think; yet if the court had yielded to the temptation to "let a hard case make bad law" their hands would have been tied next time by a rule which might have permitted a material, perhaps ultimately a fraudulent, alteration, to be effective. Led thus to the brink of the question as to the wisdom of a jurisprudence based on precedents, and thence of the possibility of governing special cases by general rules, we are plainly getting out of bounds.

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Indicting a City.—The current dictum of high political authority that guilt is personal does not appear to run in Kentucky, where the city of Henderson has been indicted for maintaining a nuisance in the form of a smokestack which emits such volumes of smoke and cinders that homes and residences in the neighborhood cannot be kept clean. Burke's aphorism that you cannot indict a whole nation does not apply to cities, it seems. One wonders if the grand jury and prosecuting officer who drew and returned this

¹ 126 Pac. Rep. 408.

² 127 Pac. Rep. 32.

indictment had let their imaginations run to the curious effects of a conviction. As a matter of fact the tendency to use criminal process for all sorts of purposes appears to be keeping even pace with the distinguished inefficiency which is charged upon it for its essential and primary purposes. Hardly any regulative law is passed nowadays without a criminal sanction. A recent compilation of the laws of a western state contains a list several pages long in the finest print of these criminal regulations in laws that are not primarily criminal. It is to remember a very unflattering verse:

The cynic devil in his blood
 That bids him flout the law he makes,
 That bids him make the law he flouts,
 Till dazed by many doubts he wakes
 The drumming guns—that have no
 doubts.



Shade Trees.—A recent decision of the appellate division of the New York supreme court affirming a judgment against a construction company which had cut down a number of shade trees, of damages at \$500 per tree and \$1000 general punitive damages, will find sympathetic approval in the breast of many a citizen who has not arrived in time to stay the ruthless hand of that kind of improvement. Where, as often happens, however, it is the city authorities themselves who have removed the shade trees there is little chance for redress, though as a matter of law public authorities in most states have not the right to remove or mutilate trees arbitrarily or unnecessarily. Much less have public service corporations, such as telephone and light companies, the right, except as it has been granted them by the state or municipality, to mutilate, damage, or destroy shade trees. Yet where the shade trees stand in the way neither law nor right do save them in most cases; they often interfere with the public services which the public demands, and are doomed, like the beauties of the green field in

the shadow of municipal encroachment. Much may be done by intelligent city planning which will find a place for them apart from the wires, and where their roots can get moisture and air; something by the ultimate bestowal of the wires under ground.



Grade Crossings.—In the *Municipal Journal* appears an interesting summary of a paper by Charles H. English, city solicitor of Erie, read at a convention of Pennsylvania cities, discussing the grade crossing laws of the various states. The statutes discussed fall into two classes: New Jersey, Illinois, and Ohio, vesting in the local authorities the power to deal with the question; Connecticut, Massachusetts, and New York giving jurisdiction to a central commission and leaving to the local bodies merely the right to invoke the action of the commission. The latter plan is incomparably more effective. The experience and information which a commission acquires soon enables it to deal effectively with a problem which is quite beyond the competence of the ordinary local authorities. Nearly a thousand grade crossings have been abolished in the latter three states by their commissions, according to Mr. English's statistics.



Protection of Trees in Columbus, Ohio.¹
 —An ordinance² approved June 24, 1912, is designed to protect the trees of the city. No person is allowed to hitch a horse or other animal to a tree. No corporation is allowed to attach to a tree a rope or wire. When paving around a tree, at least 4 square feet of ground must be left to give free entrance of water and air to the roots. Guards must be placed around trees when new buildings are being put up in close proximity to them. All wires running through trees must be protected so as not to

¹ See NATIONAL MUNICIPAL REVIEW, vol. 1, p. 470.

² Ordinance 26637, approved June 24, 1912.

injure the branches. No conduit can be laid nearer than $1\frac{1}{2}$ feet to a tree. The forestry department has full power to remove dead, diseased, or dangerous trees, to trim, to spray, to replace and to do dental work on them. The department can give written permission to violate the above provisions. Carolina poplars cannot be planted within the city. A fine of \$50 and a workhouse sentence of sixty days is provided for violations of this ordinance.



The franchise tax act of Delaware¹ provides that if a corporation shall fail

for two consecutive years to pay its franchise tax the charter of such corporation, and all powers conferred by law upon it, shall be inoperative and void. The Supreme Court of Delaware in a recent case (*Harned v. Beacon Hill Real Estate Co.*, 84 Atlantic, 229), held that a corporation whose charter has been thus forfeited may have three years in which to wind up its affairs. If it fails to do so within three years its creditors and stockholders may at any time thereafter secure the appointment of trustees or receivers who shall make a final settlement of the unfinished business of the corporation.

¹ 21 Del. Laws C. 166.

DEPARTMENT OF REPORTS AND DOCUMENTS

I. CRITICAL AND INTERPRETATIVE

EDITED BY JOHN A. FAIRLIE

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Recent City Planning Reports.—The time has passed when it is necessary to explain or to plead for city planning, in addressing persons who take a live and intelligent interest in municipal affairs. It is of more moment to know what city planning does. Yet, it may be, that in observing this, by examining several recently issued city plan reports,¹ we shall incidently come upon the best explanation and the strongest argument for this movement which lately has been sweeping the country. For there is hardly now an important city, and scarcely an enterprising town, which has not had painted a picture of its future possible beauty and efficiency—gratifying, no doubt, to local pride, but gaining its larger interest from the inspiration and courage which it locally gives. Each picture develops civic consciousness and a community ideal, and the citizens are expected to “follow the gleam.” Usual-

ly, and with varying degrees of fidelity and procrastination, they do follow it. That they do so at all means much for urban development.

The most recently issued city plan reports, those of the preceding twelve months, are the ones from Binghamton, N. Y., Dallas, Seattle, Hartford and Colorado Springs. Their geographical distribution is as complete as could have been devised, and the significance which attaches to that fact is obvious. “The most recently issued” are chosen for mention here because even they are as many as can be reviewed in an article of moderate length. Furthermore, since the art of the science of city planning is a growing one, still undergoing rapid development, these reports may be expected to be the most advanced and interesting.

It so happens, as one must immediately note, that the year’s city plan reports not only represent in their distribution far separated parts of the United States, but that they deal with different sorts of towns—an eastern manufacturing community and a western seaport, a “new” town and one of the oldest cities of the United States; commercial and industrial cities, and a health and pleasure city. Also they are representative of four different city planners, and they may be considered as the more truly representative of their authors because each is the work of an individual, not a commission. All these conditions result in a variety of view point, of emphasis and of manner of presentation which makes comparison of the reports very difficult. Yet in certain common features it is instructive to note likenesses and contrasts.

When it is said that the reports

¹ Better Binghamton. A Report to the Mercantile-Press Club of Binghamton, N. Y. By Charles Mulford Robinson. Published by Mercantile-Press Club, December 1911. 140 pages. Many photographs, map and diagrams.

A City Plan for Dallas. By George E. Kessler. Issued by the Park Board. 40 pages, to which is added the annual report of the Park Board. Illustrated with photographs, maps and diagrams.

Plan of Seattle. Report of the Municipal Plans Commission, submitting report of Virgil G. Bogue, engineer. 235 pages. Many photographs, maps and diagrams.

A Plan of the City of Hartford. Preliminary Report by Carrere and Hastings, advisory architects, to the Commission on the City Plan of the City of Hartford, Conn. Published by the Commission on the City Plan. 117 pages. Illustrated with photographs, maps and diagrams.

A General Plan for the Improvement of Colorado Springs. Report submitted to the Department of Public Works and Property by Charles Mulford Robinson. Published by the Department of Public Works and Property Colorado Springs. Illustrated with photographs, maps and diagrams.

mentioned are those of the last twelve months, there must be emphasis on the fact that they are the published reports. Others have been prepared, but not made public. Of the five reports named, only to those for Binghamton and Colorado Springs has been given the dignity of a stiff cover. This is regrettable and difficult to understand. The others certainly have cost enough to merit permanent binding; they are designed to have longer life and usefulness than are usually associated with paper bound pamphlets; and their subject is of an importance that would seem to justify the light extra cost of better binding. But if most of the reports are poorly covered, it must not be supposed that they are meanly presented. All are profusely illustrated, with photographs, diagrams and maps. The Seattle book, indeed, is a volume of 225 large pages to which are added a score of maps and diagrams, folded in at the back.

Of the five reports, two were made to city plan commissions (Hartford and Seattle); one was made to the city administration (Colorado Springs); one to the park board (Dallas); and one to an organization of business men (Binghamton). It is notable, then, that four out of the five reports were officially authorized and financed and hence, even before adoption, were official documents. The fact testifies to a long step forward that has given much added authority to city planning. The condition is further emphasized by the fact that in two out of the five cities there were plan commissions, as parts of the city government, created by charter amendment for the very purpose of securing and carrying out such plans. If, then, the reports of the last year did nothing else, they would at least bear testimony to the hold which the city planning movement has secured upon public opinion in our cities. City planners have gained a recognition something like that given to sewage, water and paving experts, and to park designers. To that extent they are becoming measurably independent

of those propagandist and educational campaigns which were so marked a feature of the earlier days of American city planning. This revelation is perhaps the most important feature of the year's reports.

With these comments, there is said all that can be said concerning the reports as a whole. The peculiar problems offered by the widely scattered and very different kinds of cities, and the manner of their solution or consideration by the different men retained, can be brought out only by reviewing the studies individually. Necessarily these reviews can be only fragmentary, and the reader will realize that the author suffers a rather ludicrous embarrassment in having to speak in part of his own work.

Taking up the books in the order in which they were received, the report for Binghamton comes first. It is divided into four main sections: I, The Survey contains some very valuable old maps and pictures illustrate this portion of the report, and it is—so far as the writer recalls—the first instance in which an American city plan report has emphasized that feature upon which the English town planners, under the lead of Professor Geddes, have laid such stress—the preliminary survey. Part II, in which is stated the problem, confesses that the problem of Binghamton in spite of the city's unusual beauty of setting and the consequent temptation to emphasize aesthetics, is primarily that of an industrial town.

The third section considers elementary needs, street plan, parks, playgrounds and pleasure drives. The backwardness of Binghamton in street paving, in sidewalk construction and in the removal of overhead wires are typical matters of discussion and suggestion under elementary needs. Under street plan there are proposed a number of improvements which must make inevitably for larger municipal efficiency and the greater convenience of traffic. It is in this connection that we read, as indi-

cating the need for city planning where cities have been permitted to grow haphazardly, that of the seven bridges which span the rivers that bisect Binghamton, only two have direct street connections at both ends, that there is not a single thoroughfare which crosses the town directly, and that the only one which goes from end to end of the city's longer diameter describes a curve in so doing, suffers a sharp break at a critical point and, incidentally, bears several names. The street changes here proposed are not radical, and not very expensive, but they would straighten out a jumble that promises speedy congestion in the business district of Binghamton, and would open up large desirable residence sections by shortening the means of access to them. Definite industrial districts are developed in the plan and some needed advice is given as to subdivisions for homes. Under the heading of parks, playgrounds and pleasure drives, plans are mapped out for improving the river banks and for making them serve the recreational needs of a working population. An athletic field is planned in close proximity to an industrial section, and suggestions are offered for the betterment of the city's present hilltop parks.

The final chapter on ways and means, is a consideration of the always pertinent question, How can the recommendations be carried out? The author shows what can be done by simply new or better ordinances, what matters call for charter amendment, what can be properly delegated to private effort, and what—surprisingly little after these deductions—rightly demand an issue of bonds. The *Springfield Republican* made this curious, but perhaps significant, remark in the course of a long editorial on the Binghamton report: "The report is as evidence of the city's enterprise and foresight, as excellent a bit of municipal advertising as anything could be—except the actual accomplishment of what is recommended."

The next report to be received was

that of Dallas, Texas. Its crude cover belies the excellence of the presentation within, where text, photographs and several folded maps and diagrams unite in an admirable record of the plan evolved. The Dallas report, though entitled "a city plan," and dealing with a city more than twice the size of Binghamton, is only about one-third as long as the Binghamton report. It is characterized by few words but by good diagrams and drawings, and it places particular, and possibly disproportionate, emphasis on park development, if we stretch that phrase to include playgrounds and boulevards. In a report addressed to the city's park board, this emphasis, however, was probably necessary. Yet it is true that the whole manner of the report's presentation witnesses to the circumstance that its author is a landscape architect and park designer.

It must not be supposed, however, from saying this, that Mr. Kessler has overlooked strictly city plan problems, or has failed to discuss them with illuminating comments and to offer valuable solutions. The very opening words of the Dallas report state well a fact which enthusiastic laymen too seldom appreciate, viz., that a plan for an existing city must be one, "not for the building of the city, but one formulating recommendations for rebuilding along broader lines."

The truth of these statements as to the Dallas report may be convincingly illustrated by the subjects it touches upon. These are the building of levee which shall serve the triple purpose of providing flood protection, a city harbor, and additional space for railroad terminals; the building of a belt line railroad, a union station and a local freight terminal; the location of a civic center; the elimination of grade crossings; the correction of the present street system and an extension of streets; the provision of additional playgrounds, and the construction of a comprehensive system of parks, parkways and boulevards. To run over these titles is to realize how

much it may mean to Dallas to have public attention directed to these big subjects, and to have presented to her enterprising citizens, though it be in a sketchy manner, schemes for handling wisely the many problems involved.

Seattle's plan comes next on the list. Perhaps it is not too much to say that this is the most exhaustive and thorough city planning report that has been issued. Yet it was prepared in a year. The engineering work alone cost about \$24,000; the city planner was paid over \$17,000; and the printing of a very limited edition of the book cost \$2500. The report's total cost came to \$50,000, to which must be added a quite exceptional amount of unpaid local coöperation. While these figures, which are taken from the published report, have little reliability as a measure of its actual value, they show the earnestness with which Seattle took up the city planning project and explain why the Seattle plan cannot fairly be compared with the other reports published during the year. Perhaps, however, it is proper to observe that although \$50,000, is a relatively large sum to appropriate for this work, it really is not much for a city of almost a quarter million inhabitants to pay for a carefully thought out plan covering an area of one hundred and fifty square miles and anticipating a future population of upwards of a million. If Seattle has secured, as it seems to have done, a plan which efficiently does these things, it has surely obtained much for its money.

Mr. Bogue, the author of the "Plan of Seattle," is a civil engineer, who has not been heretofore identified with city planning work. It is no surprise, therefore, to find engineering features of the Seattle plan as strongly emphasized as were park features in Mr. Kessler's. In fact, discussion of harbor, port and waterfront, of railroad facilities, and of arterial highways, absorbs two-thirds of the text—which is long—and practically all of the nineteen large maps folded at the back of the book.

First of all, the report takes up arterial highways. The conclusion was reached that "the lines of heavy travel in Seattle would, in the main, always be north and south." The site of the city is notoriously rugged, and yet careful surveys showed the possibility of laying out very convenient arterial streets with grades seldom exceeding three per cent. The opinion has been expressed that the location of these is one of the most valuable contributions of the Seattle plan. Next is considered the civic center. For this a very elaborate scheme was evolved. The form suggested for it was an ellipse, penetrated by great avenues converging toward a central shaft or monument. In the arcs between the converging avenues of which one broadly parked Central Avenue should lead to the Union Station, were to be the public buildings. From the proposed location, which is a natural traffic center, the land falls away on every side, so that the buildings would be "visible from all the environing hills and from the harbor and Puget Sound."

After the civic center, seven pages only are devoted to park improvements; but this subject had been treated in a preceding report. There follow a few pages on municipal decorations, in which the subjects of street intersections, concourses and building height are considered, and then comes the long discussion of harbor, port and waterfront. The following quotations suggest the importance attached to this portion of the Report, and the earnestness with which its problems have been worked out:

"Commercially speaking, when a city ceases preparation for the future, it ceases to grow. . . . Seattle's greatest commercial asset is her harbor . . . Every judicious investment in harbor improvements should tend to decrease rather than to increase the tax rate." Consideration of the port is divided by the author into ten sections for the purposes of adequate consideration and discussion. The works proposed for it look forward many years for complete accomplishment and to the expenditure of vast

sums. If carried out as proposed, there is no question that Seattle would have exceptional commercial efficiency.

The final discussion, transportation, takes up steam railroads and ferries. In a "closing word" it is stated that the plan, with the exception of six comparatively small items, which are named, "need not be followed on precise lines in every instance, but should be deviated from only when detail studies preparatory to construction show minor changes to be necessary, and any deviation should not be of such nature or extent as to jeopardize the value and harmony of the plan as a whole, or any part thereof."

It should be added, that one of the most interesting portions of the Seattle report is the introductory statement by the local commission. Here is concisely given the history of the movement which led up to the making of so elaborate a study, and the legislation which was enacted to provide both efficient machinery and sufficient money. The commission itself, it may be briefly said, was authorized by a charter amendment which received the largest majority that had even been cast for an amendment to the Seattle charter. It is composed of twenty-one citizens. To finance the project, there was created a municipal plans commission fund, secured by a tax levy of one-quarter of a mill in the year 1910. It was required that expenses should not exceed the proceeds of the levy and should cease entirely on September 30, 1911.

It is a pity that more city plan reports do not contain, when published, so admirable a presentation of the steps by which they were secured, and so clear a statement of the means devised to give effectiveness to the plans and to pay for them. For these are matters upon which many cities are now earnestly seeking information.

The report for Hartford, though quite modestly issued, is a well illustrated pamphlet of something over a hundred pages. It is addressed to "the commission on the city plan of the city of Hartford,"

for, as the foreword states, "Hartford was one of the first, if not the first, American city to have a permanent city plan commission." To this report there attaches also special and pathetic interest, from the fact that one of its authors—and he whose work it mainly was—was the victim of a fatal accident the day after he signed it, following its painstaking critical review. In an introductory note to the Report, Frederick L. Ford observes: "The city plan of the city of Hartford by Messrs. Carrère and Hastings was Mr. Carrère's valedictory to the world and it will remain his crowning work in city planning."

The Hartford report differs from most others that have been issued in containing in its early pages a somewhat abstract discussion of an ideal city plan and a thesis on taxation and the regulation of building construction for the common good. The explanation of this, if explanation is needed, is to be found in the author's strongly expressed appreciation "that the mere study of the plan of a city, and the making of pictures and maps, is but a very small part of the problem which confronts every American city." The larger problem is to secure a broader vision and coöperative spirit which will express itself in communal action. "While the idea," the report reminds us, "of a common life for a common purpose goes back to the beginning of things, real organization with regard to essentials was very slow of development." Even in Paris, "no attempt was made at municipal lighting, or any definite ordinances attempting even a system of private lighting, until the time of Napoleon the First." Almost within the memory of living men, Benjamin Franklin organized tramps into street cleaners. Hence it is not surprising that the development of the plan of cities, of methods of taxation, and of many other matters fundamental to the public good have been "either neglected or treated separately and without coördination." To call attention to the need of such coördination and to its possibil-

ities is the first purpose of the Hartford report. It urges that taxes upon land and improvements be based upon the property's income bearing capacity.

It is clear that a city plan report which devotes about one-quarter of its length to such general thoughts as these, has an interest and individuality quite its own, and which is independent of city plan suggestions of the ordinary type. These must, however, be noted. They deal first with the central portion of the city. Here there are considered a connection of the state buildings, grouped in and around Bushnell Park, with the growing municipal group on Main Street, a dignified mall or parkway being proposed for the purpose; a re-arrangement of the railroad station and lowering of the railroad grade through the center of the city, so that streets may pass over instead of under the tracks, and the provision of means of traffic communication through Bushnell Park, so that it may prove less of a barrier, to arrest the city's development along natural and desirable lines.

There is a careful discussion of the street changes which would be beneficial in various sections of the city, and a plan is worked out for a new industrial district, and for the housing of its workmen. This district is not to be a substitute for present factory centers but is to supplement them. There are proposed broad new radial avenues, to run southwestward and southeastward from the capital, and inner and outer boulevards that shall tie scattered park units into a park system. A separate chapter is devoted to discussion of the improvement of the park and Connecticut rivers; and in a final chapter many general matters are touched upon—such as the lighting apparatus, billboards, trees, traffic regulations, etc. Here is made the interesting proposal—novel for America—of “a remission of taxes, not to exceed a given sum in any one instance, and running for a limited period of years,” as “an encouragement to citizens for the proper development of the various im-

provements controlled by private interests, and also for proper maintenance of private property, grounds and gardens.”

The report, taken as a whole, lacks systematic arrangement and shows a want of what may be best described as careful editing. But it is a very conscientious study of a city's improvement needs and possibilities, and that is worth much more than is the manner of presentation.

The study of Colorado Springs, which comes latest from the press, is so largely devoted to consideration of the streets that, to its merit or otherwise, it probably conforms more nearly than most reports to the popular idea of a “city plan.” There are, in all, five chapters or sections. The first discusses the steam railroads, because possible changes of route and the location of a union station must affect the street plan of the city. The second takes up the street plan in detail—“a conventional checkerboard, as commonplace as Philadelphia's or Chicago's”—and suggests how it could be redeemed, or at any rate improved, at low cost. In the third chapter there is detailed study of the development of the streets—this supplementing a report on street parking for Colorado Springs which the author had made seven years before and which he states is to be considered a part of the present report. The fourth section takes up the city's recreational provision, attempting to point out how the social efficiency of the present very large park holdings could be increased. The report is fully illustrated, and Colorado Springs proved neither so large or complex a subject that it could not be handled with considerable completeness. The report gathers interest, also, from the fact that it adds one more instance to the proportionately large number of cases in which the commission form of government has resulted in prompt orders for city plan studies—a fact which is significant of efficiency, no doubt, on both sides.

Though the year's published city plan reports have now all been noted, this brief summary would be incomplete, did it not also mention John Nolen's book *Replanning Small Cities*.¹ For in this attractively issued volume, brought out during the past year, there are reprinted the reports which its author has made for half a dozen widely scattered little cities. All of these reports have been issued before, by themselves—some of them a number of years ago; but their convenient republication in a single volume attracts interest anew to them and fairly entitles them to a mention here. Moreover, Mr. Nolen opens and closes his volume with chapters which are new and which call very pertinent attention to fundamental similarities in the problems, opportunities and duties of all towns. Says Mr. Nolen:

In the first place, certain things are indispensable for every city—suitable streets, thoroughfares, public buildings, homes, and an adequate number of playgrounds, parks and open spaces. All these must be had sooner or later. It is not a question of getting them or of not getting them. It is merely a question of *when* Secondly, it should be kept in mind that cities must choose usually between one form of expenditure or another. The people of a city may prefer to pay the direct and indirect cost of epidemics like typhoid fever rather than increase the outlay for water and sewers and other forms of sanitation. They may elect to pay the bills resulting from an inadequate street system for traffic and the inconvenient circulation of men and goods, rather than make the loans and annual appropriations required by the adoption of a more up-to-date method of locating and improving streets and highways. But does it pay? It costs only \$800 to educate a normal boy in the Boston schools for twelve years, or less than \$70 a year. On the other hand, it costs \$400 to take care of a bad boy in a Massachusetts reformatory for one year. Which is cheaper? In the third place, the essential question is not one of cost, the attempt

to balance the expense of better planning against increased revenues resulting from it. At bottom the question is whether real values in public welfare are to be had from this sort of city planning

The towns of which Mr. Nolen presents studies in his book are Roanoke, Va., San Diego, Calif., Montclair, N. J., Glen Ridge, N. J., Reading, Pa., and Madison, Wis.

Finally, this year's reports are of value in giving conclusive evidence that town and city planning are no longer understood to be—what in the fact they never really were—a designing simply of impressive civic centers and the like monumental and costly features. City planning has come to be recognized as something much broader in scope, much closer to everyday problems, much nearer to the lives of the people.

CHARLES MULFORD ROBINSON.²



The New York Billboard Situation.—For many years increasing general animosity has been manifested against the extensions of the billboard service of the country, which have undoubtedly become intrusions. The feeling which has caused more than eighty cities to undertake some form of legislation against the billboard has its root in the increasing estimation of the American people for the value of natural scenery and of orderly city beauty. It is lamentable to have to say that usually these legislative attempts have been failures because the billboard man is as yet firmly entrenched behind his constitutional right to destroy values so long as he keeps on property which he owns or has leased.

But another view of the evil has more encouraging features for those who believe it is not right to "sell the eyes of the public," as Commissioner Tompkins has recently and rather aptly expressed it. The billboard men are generally law breakers and pay no attention whatever to local enactments, unless forced. A

¹ *Replanning Small Cities*. Six Typical Studies. By John Nolen. Published by B. W. Huebsch, New York, 1912. See NATIONAL MUNICIPAL REVIEW, vol. 1, p. 754.

² Rochester, N. Y.

strong presentation of this phase of the trouble is included in "A Report on an Investigation of Billboard Advertising in the City of New York," made by Raymond B. Fosdick, until recently commissioner of accounts, and transmitted to Mayor Gaynor August 27, 1912.

In this admirable report Mr. Fosdick presented the approximate details on billboard advertising in New York. He says that there are approximately 3700 billboards in the city, of which fully 25 per cent are double-deckers, making about 4600 facings for advertisements, and including approximately 3,800,000 square feet of billboard "beauty" in New York.

Mr. Fosdick brings out the exact details of the law in New York, and laments not only the incompleteness of the law but the absence of any adequately handled test cases to prove the right of the city to control. The section of "Violations" shows that the first regulation in the building code is violated in 412 instances out of 500 cases inspected. The second requirement of the code is entirely ignored; 165 signs were found extending beyond the building line. Thirteen extensive billboards, situated along Riverside Drive at its most picturesque part, were found to be in violation of the law. Thirty-three of the 41 locations of signs about Central Park were found to be in violation of law.

In addition to bringing out the general disregard of law and regulation by the billboard-erecting concerns, Mr. Fosdick has shown graphically in this notable report the conditions prevailing at, about and behind the billboards, by means of numerous well-made photographs. He has also classified the character of advertising displayed, and proves that the billboards are largely used for the exploiting of "whiskies, wines, beers, gins, tobacco, cigarettes, patent medicines, etc.," and that "they are not used by merchants of the city." In insisting that "municipal expenditures to beautify public buildings and parks are offset by the appearance of bill-

boards," Mr. Fosdick brings out the necessity for regulation. He discusses completely the decisions of courts as well as the methods for regulating billboards found so far more or less effective in the United States and abroad.

Taken altogether, this report is the most direct and convincing indictment yet formulated against billboard intrusions. It is a matter for regret that its recommendations have not been taken up promptly by New York authorities.

So quick was public approval of the report that the edition which had been printed of it was immediately exhausted.

J. HORACE MCFARLAND.¹

*

American Police Reports.—Introduction. A good police report should contain three elements: a clear presentation of police statistics, an adequate interpretation of these statistics and a brief discussion of the most important problems of police administration. Many American reports contain some of these elements; very few contain all of these elements. In the hope that a brief consideration of what a good police report should contain may be of interest to police officials and may lead to a greater uniformity and usefulness of these public documents, this paper has been prepared.

Police statistics. Nearly every American police report contains adequate statistics of arrests, including the crimes committed, occupation, nationality, age and sex of prisoner. Equally important are the statistics of convictions secured, which comparatively few American reports contain. Extremely desirable also are adequate statistics of criminal complaints which would tend to give the citizen reliable information regarding the actual conditions of the peace of the community. Almost no American reports contain these statistics of criminal complaints.

The typographical arrangement of the statistics in most American reports is

¹ President, American Civic Association.

poor. They are frequently printed in large type using much space when smaller type would serve to make these statistics more serviceable and save a large item of expense. The practice of some departments in the publication of the details of all financial transactions and of the personnel of the force serves no useful purpose. Such lists are not statistics, and serve only to flatter the vanity of the men in seeing their names printed in the annual report.

Interpretation of statistics. In addition to the presentation of adequate police statistics, the annual police reports ought also to interpret these statistics for the benefit of the citizens, in the manner in which the United States Census Bureau interprets its statistics. The calculation of indices would render it practicable for the citizen to compare the efficiency of the police in one year with its efficiency in a previous year or the efficiency of the police in one city with the efficiency of the police in another city.

The complaint-arrest index is a useful means of measuring police activity; the arrest-conviction index is a useful index of police efficiency and the complaint-conviction is an excellent measure of the efficiency of the police protection. These indices are of value only in the case of felonies, in the case of misdemeanors every effort should be made to minimize the number of arrests and punish the offenders without the necessity of an arrest by the police.

Problems of police administration. When the writer ten years ago first made an examination of American police reports he was astonished to find that none of those examined with the exception of the reports of Superintendent Sylvester of the Washington Department discussed the more important problems of police administration. During the last few years a number of departments have incorporated in their reports this extremely important element. Such a discussion of police problems tends to interest the citizens in the work of the

department and it renders easier the task of the head of department in instituting improvements. In his latest annual report the police commissioner of New York has made a further effort to popularize his reports by printing photographs of police functions and police activities. When funds for this purpose are available the publication of such photographs is also to be recommended.

Summary. A good police report should contain these elements: Complete statistical tables of criminal complaints, classified according to felonies, misdemeanors and juveniles; of criminal arrests, classified according to crimes and according to the occupation, sex, nationality, age and previous criminal record of the prisoner; and of convictions similarly classified. It should contain an adequate interpretation of these statistics by the calculation for felonies of the complaint-arrest index of police activity, the arrest-conviction index of police efficiency and the complaint-conviction index of the efficiency of the police protection. It should also discuss for the benefit of the citizens the most important problems of administration engaging the attention of the department with a view to interesting the citizens in the work of the department and the changes and reforms which are being planned and executed by the head of department.

LEONHARD FELIX FULD.¹



The Social Evil.—The Portland, Oregon, vice commission, appointed in September, 1911, has made two reports, in January and August, 1912. The Portland report deals entirely with the prevalence of venereal diseases in that city. The figures are startling. The percentage of venereal diseases to all disease reported was 21.1 per cent. As to the source, of the 109 physicians replying, 5 replied "professional prostitutes" and 104 "non-professional."

¹ New York City.

Although a very considerable number of the inmates of the city and county jails and those who pass under the hands of the city and county health officers are infected, no record is kept of such cases, and no provision is made for their treatment save occasional services of the city or county physician. No attempt is made to segregate them, although a number of prisoners were observed in an acutely infected condition. There is no law which takes cognizance in any way of this disease, which is both contagious and infectious, nor are such cases obliged to receive treatment, even when they are a source of danger to others. The city has no facilities for the treatment of this disease, which is a source of menace to the public health, with the exception of a small venereal ward in the county hospital.

As a first step in a proper, adequate, constructive policy, the commission recommended the enactment of a law requiring the reporting of such cases of venereal disease as are encountered in dispensaries, hospitals, juvenile and municipal courts, penal institutions, maternity hospitals, rescue homes and all places of detention; and compelling persons so reported to be treated; and the establishment of special clinics under the board of health for the treatment of venereal disease; and the maintenance by the municipality of venereal wards in one of the existing hospitals, if such arrangements can be made, until the city builds a city hospital and that the city contribute to the support of the free dispensary, especially for the treatment of venereal diseases. It also strongly emphasized the importance of education concerning proper sex relations, their violation and the consequences thereof. Accordingly it commended the work already begun by the Social Hygiene Association of Portland.

The Philadelphia City Club *Bulletin* for March 16, 1912, contains a stenographic report of the thoughtful addresses made on the social evil before the City Club, at one of the largest luncheons held

in its history. The figures of Dr. Morrow and the statements of Dean Sumner are most striking.

The Voters' League of Pittsburgh has published in full the argument of A. Leo Weil given on October 4, before the city council, on charges against the director of public safety; and has also issued (November 11, 1912) a bulletin on the investigations before the city council.

There are two national organizations dealing with the social evil, one the American Vigilance Association, of which Clifford G. Roe is executive secretary, and the American Federation for Sex Hygiene, of which Charles W. Burtwell is general secretary. Both are publishing a series of interesting pamphlets. The American Vigilance Association publishes a monthly bulletin entitled *Vigilance* which has recently been enlarged. The issue for November, 1912, contains a list of vice commissions and investigations.

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Taxation Reports—*District of Columbia.* On August 20, 1912, a sub-committee of the house of representatives committee on the District submitted a report on the assessment and taxation of real estate in the District.¹ This report held "that real estate is assessed irregularly, unscientifically, without system and with gross discrimination between class and class, between land and improvements." The total assessment of real estate is stated to be only slightly more than two-fifths of the real value. But land is assessed at only one third of its true value, while improvements are assessed at two-thirds of their true value. As between different classes of property, it is charged that there is a heavy discrimination against the small home, in comparison with the better houses and business property, while the large suburban speculative area bears less than a third of its proper burden. Further, the report presents a series of facts to demonstrate

¹ Sixty-second Congress, second session, House Report No. 1215.

that this state of things is not due to chance but to deliberate policy. A series of recommendations for new legislation and administrative methods are made for the purpose of securing more thorough and equitable assessments.

California. A special report on taxation, showing the "First Effects of Separation" on state, county and municipal revenues and tax rates, was issued by the California state board of equalization on December 1, 1911. The totals of a series of tables on county finances show the following results:

Gross saving to tax payers by elimination of state tax.....	\$8,168,095
County taxes lost on property withdrawn.....	4,630,974
Net saving to county tax payers.....	3,537,121
Increase in county tax revenues.....	3,403,356

Thirteen of the fifty-six counties reporting showed a small net loss to county tax payers.

A valuable discussion of the proposed constitutional amendment for "Home Rule in Taxation," at meetings of the Commonwealth Club of California held in August and September, is published in the October issue of the *Transactions* of the Club. A majority report of the committee on taxation, presented by Prof. Carl C. Plehn, opposed the amendment; and a minority report favored it. An appendix contains data in regard to local government revenues in California and the systems of local taxation in Seattle, and Vancouver.

New York. The department of taxes and assessments has published a small pamphlet on "Factors of Value of New Buildings and Explanation of Land Value Maps." This explains some of the assessment methods employed by the department; and will be of service in other cities in developing systematic methods of real estate assessments.

Chicago. Bulletin No. 7 of the Civic Federation on "Tax Facts for Illinois," is a reprint of the findings of the Illinois

special tax commission of 1910, and its recommendations for a constitutional amendment to permit the classification of personal property.



Refuse Disposal in Ohio and Wisconsin.—The report of a study of the collection and disposal of city wastes in Ohio, published as a supplement to the twenty-fifth annual report of the Ohio state board of health, presents the results of what is probably the most comprehensive investigation thus far made of this subject in any American state. Field studies were carried on from the spring of 1909 until June, 1910, in nine cities, Cleveland, Cincinnati, Columbus, Dayton, Canton, Mansfield, Steubenville, and Zanesville, and samples collected in the various cities were analyzed in a special laboratory at Columbus. The studies were made under the supervision of Paul H. Hanson, acting chief engineer of the State Board of Health.

This report forms a substantial volume of 290 pages, well printed with numerous tables, charts and illustrations. The first quarter of the report is a general comparison, discussing the organization of the municipal departments, the equipment and methods of collecting city wastes, the quantities of waste materials and the methods of final disposal. An appendix, forming three fourths of the volume, gives a more detailed description of the methods of collection and disposal in the several cities.

A useful index is printed at the end of the report; but there is no table of contents.

Wisconsin.—The July, 1912, issue of *The Municipality*, published by the League of Wisconsin Municipalities, is a special garbage collection number. It includes papers on garbage collection in Wisconsin, by the municipal reference bureau of the University of Wisconsin, refuse collection and collection in the United States, a list of books on garbage collection, a number of articles on garbage wagons and a short account of garbage disposal in Berlin, Germany.

Public Utilities.—Professor E. W. Bemis' report on the investigation of the Chicago Telephone Company was submitted to the council committee on gas, oil, and electric light on October 25, 1912¹. This is the most exhaustive investigation thus far made of the various items of expense per unit in the telephone business, and has been made with the active coöperation of the telephone company. The conclusions reached are that a reduction of \$700,000 in the charges of this company within the city of Chicago appears reasonable. But no attempt is made in this report to distribute this reduction among the different classes of service.

Municipal Lighting for Rockland, Mass., by William Plattner, makes comparisons of the cost of municipal lighting in seventeen Massachusetts towns, with an average cost of \$1.42 per capita, for distributing nearly five times the amount of light for which Rockland pays 88 cents per capita.

The commissioners of accounts of New York City have published, under date of August 30, 1912, a report on an investigation of the accounts of the municipal ferries. This shows a net loss to the city of \$6,625,606 for the period of municipal operation, a little over six years. Attention is however called to the fact that the former owners of the Staten Island ferry were not able to make it pay; and that municipal operation was established to provide transportation facilities for that part of the city.



Philadelphia Finances.—Under date of August 1, the city controller of Philadelphia submitted to the city councils the annual statement showing estimates of receipts and expenditures for 1913, and also comparative statements showing the financial condition of the city as of January 1 and July 31, 1912, and statements showing the results of oper-

ations for the seven months ending at the latter date.

On September 18, an advisory committee on municipal finance, appointed by Mayor Blankenburg, reported to the mayor an analysis of the financial situation of the city. This estimated the operating revenues for 1912 at \$28,852,806, and the operating expenditures at \$31,818,698, leaving an estimated shortage in the operating account of \$2,965,892. Such a shortage is said to have been habitual, at least since the year 1905; while the narrow margin now left in the city's borrowing capacity makes it impossible to continue the policy of creating long term loans to provide funds for operating expenses, if even a few of the most pressing improvements are to be prosecuted.

The committee recommends the assessment of real estate at its value scientifically determined, that the tax rate be fixed at a figure to provide revenue for operating purposes, and borrowing should be limited to procuring funds for necessary public works.



German Municipal Statistics.—The eighteenth volume of the *Statistisches Jahrbuch Deutscher Städte*, following the general plan of former volumes, includes twenty-nine sections or chapters, each presenting the statistics on some phase of municipal conditions in cities of over 50,000 population. Most of the separate topics appear in each number of the yearbook; but the present volume contains data on several subjects which have not usually appeared—including police statistics, data on the personnel of municipal administration, and a financial summary.

In thirty of the eighty cities, there is a force of state police, including two-thirds of the cities with over 200,000 population. The largest cities with a municipal police force are: Chemnitz, Düsseldorf, Essen, Leipzig and Stuttgart.

From the financial summary, the statistics below show the total receipts

¹ See NATIONAL MUNICIPAL REVIEW, vol. 4, p. 92.

and expenditures of some of the larger cities for the year 1908:

CITY	TOTAL RECEIPTS	TOTAL EXPENDITURES
	<i>marks</i>	<i>marks</i>
Munich.....	100,777,517	98,804,213
Breslau.....	50,950,433	51,354,728
Cologne.....	102,888,615	82,905,337
Frankfort on the Main	103,449,386	103,449,386
Dusseldorf.....	57,627,247	57,811,519

✦

City Planning.—The report of the Massachusetts metropolitan planning commission in January 1912, recommended the creation of a metropolitan planning board to collect the data for a metropolitan plan through a systematic consultation with all the local authorities. An appendix includes a brief discussion of the advantages of metropolitan planning, notes on the success of city planning elsewhere and a selected bibliography on city planning.

First place is given to city planning in the twenty-fourth annual report of the City Parks Association of Philadelphia. The report includes a number of illustrations, and a small map of the existing parks of Philadelphia and the proposed greater park system.

A joint report on a comprehensive system of passenger subways for the city of Chicago, by the harbor and subway commission and a sub-committee of the council committee on local transportation, was presented to the full committee under date of September 10, 1912. This includes a map of the routes recommended and a discussion of the engineering features and the financial plan.

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County Officers.—Report No. 1 of an efficiency series begun by the Municipal Association of Cleveland, Ohio, presents the results of an investigation of the sheriff's office in Cuyahoga County. This recommends some readjustment of positions and salaries and a change in the

arrangements for feeding prisoners in the county jail. The changes in the office force and salaries would effect a saving of \$4000 a year. The payments to the sheriff for feeding prisoners during the preceding four years are said to have been \$32,000 in excess of the actual cost for food and service.

Coroner P. M. Hoffman, of Cook County, Illinois has issued a brief report showing the work of his office for the years 1907 to 1911 inclusive. The following summary of totals will be of interest:

Year	Total Inquests	Natural Causes	Accidents	Homicides	Suicides	Other Causes
1907.....	4,237	1,596	947	186	407	1,101
1908.....	4,214	1,622	798	172	535	1,087
1909.....	4,604	1,722	900	176	476	1,264
1910.....	4,895	2,014	1,245	203	489	944
1911.....	5,056	1,956	1,195	221	523	1,116

The report discusses the increase in the number of accidents and homicides and means of reducing the most frequent classes of accidents.

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Cleveland Chamber of Commerce.—The annual report for the year ending April 9, 1912, is an admirable illustration of the interest in municipal affairs by business organizations. Much the larger part of this report deals with the work of a series of committees on municipal problems—including committees on municipal art and architecture, street railway franchises, public recreation,¹ housing conditions, smoke prevention, civil service, public safety, municipal courts, city finances, and legislation. The committee on city finances submitted to the state auditor a set of standard accounts for use in the Mayor's annual budget, appropriation ordinances and city books. The committee on legislation urged favorable action on the proposal in the Constitutional Convention

¹ See NATIONAL MUNICIPAL REVIEW, vol. 1, p. 462.

providing home rule for Ohio cities. Some indication of the active work of this organization may be gained by noting that during the year there were 684 meetings of the chamber, and its directors, boards and committees.



City Club of Chicago.—Its numerous activities are set forth in the annual reports of the civic committees, published in the City Club Bulletin for September 28, 1912. The report of the civic secretary, to the annual meeting in April, showed that the 23 committees had held a total of 300 meetings during the year. Important work was done by the committees on public education;¹ harbors,

wharves and waterways; and lighting and telephone service.



Citizens Association of Chicago.—The thirty-eighth annual report gives a brief summary of the work of this organization, notably in preventing and exposing illegal voting and investigating methods of garbage disposal.



Cambridge (Mass.) Taxpayers Association.—The third annual report renews the recommendations of former reports for a scientific assessment of real estate and a complete revision of the city charter.

¹ See NATIONAL MUNICIPAL REVIEW, vol. 1, p. 457.

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EDITED BY MISS ADELAIDE R. HASSE

Chief of the Division of Documents, New York Public Library

General

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Very useful as an industrial and commercial guide.

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The Society whose address is 33 Tothill Street, S. W., London, is conducting a campaign for the maintenance of the present metropolitan borough system, in opposition to the Progressive Socialist party which proposes the abolition of borough councils and their substitution by one central authority. The above pamphlet is sold for 3d.

MONOGRAPHIEN DEUTSCHER STÄDTE. Darstellung deutscher Städte und ihrer Arbeit in Wirtschaft, Finanzwesen, Hygiene, Sozialpolitik und Technik. Herausgegeben von E. Stein, generalsekretär des Vereins für Kommunalwirtschaft und Kommunalpolitik. Bd. 1. Neukölln. 1912. 158 p. illus. 4°.

A most useful and attractive volume comprising a popular display of the various activities of the city. Four similar volumes have been issued, dealing resp. with Düsseldorf, Chemnitz, Posen and Dresden. These were issued as special parts of the Zeitschrift für Kommunalwirtschaft und Kommunalpolitik.

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¹The Editor of the NATIONAL MUNICIPAL REVIEW is happy to be able to announce that he will answer to the extent of his ability any questions requiring documentary research. He is able to make this announcement through the cordial co-operation of Miss Hasse, who has expressed her willingness to make the bibliography department a library service department for the NATIONAL MUNICIPAL REVIEW. All communications must be addressed to the editor of the NATIONAL MUNICIPAL REVIEW, North American Building, Philadelphia.

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WALSH, RICHARD J. Boston: a brief description of the principal facts about the city. Presented by the city of Boston to the delegates of the Fifth

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See also above "City Planning of Fall River," under Montreal.

ARONOVICI, CAROL. Housing conditions in Fall River. Report prepared for the Associated Charities of Fall River Housing Committee. September, 1912. 29 p. illus. 8°.

The committee raised a fund of \$500 and engaged the services of the Bureau of Social Research of New England to carry on the work. The investigation was started on February 1 and lasted for six weeks. In all 279 buildings were examined. These buildings contained 1171 apartments with a population of 5980 persons or 5 per cent of the population of Fall River.

REICH, EMMY. Der Wohnungsmarkt in Berlin von 1840-1910. Munich and Leipzig, 1912. 160 p. 8°.

Staats und sozialwissenschaftliche Forschungen. Heft 164.

UNION RELIEF ASSOCIATION OF SPRINGFIELD, Mass. Report of housing committee. October, 1912.

The report made jointly by the committee and Carol Aronovici was printed in full in *The Springfield Union* of October 5, 1912.

Juvenile Courts

See above the "General" group, under Newark.

Labor Conditions

MCPHERSON, JOHN BRUCE. The Lawrence strike of 1912. Boston, 1912. 46 p. 8°.

Lighting Companies

See "Public Utilities."

Loan Offices

See also above under the "General" material under Syracuse.

BROOKS, FRANKLIN. Report to District Attorney Charles S. Whitman on work of usury bureau. 39, 6 folios.

The usury bureau was established in the office of the district attorney of New York County in July, 1912. The present report was made in the following November by Franklin Brooks, a member of the state legislature representing the seventeenth assembly district. It relates to the operations of loan sharks in New York City and the methods

taken for their suppression. While the report is still in manuscript it has been made public.

Markets

HOW DES MOINES SOLVED THE HIGH COST OF LIVING. (Civic Progress. August, 1912.)

Relative to the public market of Des Moines.

KING, CLYDE LYNDON. A study of trolley light freight service and Philadelphia markets in their bearing on the cost of farm produce. Made under the direction of Rudolph Blankenburg, mayor. October, 1912. 58 p. 8°.

The report, which is published by the department of public works, is a preliminary study to find out whether a program can be adopted by the city that will lower the cost of getting country produce from farmers to Philadelphia consumers, the purpose being to furnish data upon which a municipal policy might be formulated. In showing the rise of prices from producer to consumer it is revealed that the latter pays from 67 per cent to 266 per cent, with an average of 136 per cent, more than the producer receives. The volume includes a discussion of the effect on prices of certain statutes, ordinances and licenses, the full text in each case being given.

NEW YORK STATE. Report of the committee on markets, prices and costs of the New York state food investigation commission. 1912. 76 p. 1 map.

NUREMBERG, GERMANY. Statistisches Amt. Zur Frage der Fleischversorgung mit besonderer Berücksichtigung Nürnberger Verhältnisse. 1912. 109 p., 15 leaves. 8°. (Mitteilungen, Heft 3.)

TOMPKINS, CALVIN. A report on wholesale terminal markets at the port of New York. Submitted to the New York food investigation commission. 1912. 21 p., 1 map. 8°.

Mr. Tompkins is commissioner of docks of New York City, and the above report is no. 20 of the numbered series issued by the dock commissioner.

Municipal Forestry

NEW YORK STATE COLLEGE OF FORESTRY at Syracuse University. Press bulletins. A successfully managed city forest in New York. Syracuse maintains the first commercial forest devoted entirely to the production of trees as a

forest crop. A course in city forestry offered by the New York State College of Forestry at Syracuse University.

The bulletins were released for publication on November 25, 1912. The College of Forestry has also outlined a four year course leading to the position of city forester. It is believed that these trained city foresters will accomplish a great work in the future.

Municipal Home Rule

COMMONWEALTH CLUB of California (Transactions, v. 7, no. 4, October, 1912.) Home rule in taxation. p. 375-460. 8°.

In 1911 the board of governors of the Club ordered that a permanent committee on taxation be formed to observe and report on the workings of the new state tax system. The problem of "home rule," or local option, in taxation was brought before the committee by a constitutional amendment proposed by petition for vote at the election of November 5, 1912. The above noted number of the Transactions contains the text of the discussions at various meetings of the committee on taxation during August and September, 1912. A very useful appendix contains a chapter respectively on the local government revenues in California, a report by George T. Klink on the Vancouver system of taxation with a comparative statistical table, 1886-1911, and a report by A. B. Nye opposed to the proposed abolishment of the poll tax in California.

FULLER, A. M. Efficiency in city government. The general manager plan. 9 p. 8°.

An address delivered before the adjourned meeting of the allied civic bodies committee held at Harrisburg, October 2, 1912.

MUNICIPAL ASSOCIATION OF CLEVELAND. A home rule charter for Cleveland. Address by Mayo Fesler, secretary, before the Council of Sociology, Cleveland, October 14, 1912. 26 p. 8°.

MUNICIPAL GOVERNMENT ASSOCIATION OF NEW YORK STATE. What we did in less than one year. October. 1912. 9 p. 8°.

— Home rule for cities. Since everybody believes in it, why don't we have it? Address by Robert S. Binkerd to the third annual conference of mayors, at Utica, June 10, 1912. 11 p. 8°.

— Home rule memorial submitted to Utica conference of mayors on behalf of Municipal Government Associations of New York State. 1912. 7 p. 8°.

BUSINESS MEN'S LEAGUE of St. Louis. Home rule for St. Louis. Three bills for the government of the police, elections and excise departments of the city, to be submitted to the Legislature of Missouri. 12 folios. 4°.

The bills were written by Mr. Charles W. Bates, formerly city counselor of St. Louis, and the publication described above is a digest of their contents, prepared by Mr. Bates.

Museums, etc.

PRAGUE, BOHEMIA. Kunstgewerblicher Museum der Handels-und gewerbekammer in Prag. Bericht des Kuratoriums für das Verwaltungsjahr 1911. 1912. 30, 28 p. 8°.

Ordinances

GREAT BRITAIN. Local government Board. Model by-laws. Series IV. (a). Rural district councils. New buildings and certain matters in connection with buildings. 1912. 19 leaves. f°.

— Series IV. (b.) By-laws with respect to drainage of existing buildings. 1912. 7 pages. f°.

— Series IV. By-laws with respect to new streets and buildings. 1912. 43 leaves. f°.

TEXAS. State insurance board. A fire marshal ordinance (advisory) issued by the board. 1912. 4 p. 8°.

— Moving picture machine booth. Requirements for construction and equipment. (advisory) 1912. 1 sheet.

— An ordinance regulating the construction and operation of electric theatres (advisory) 1912. 1 sheet.

— An ordinance regulating the storage and handling of gasoline or other volatiles (advisory) 1912. 1 sheet.

— An ordinance to regulate the keeping and storage of calcium carbide within the city (advisory). 1912. 2 sheets.

Parks

See also above the "General" group under Newark; also above "Municipal Forestry."

BRONX PARK COMMISSION. Report of the commission organized under ch.

594 of the laws of 1907. 1912. 38 p. illus., 2 maps in pocket. 8°.

The proposed Bronx parkway extends from New York City into adjoining Westchester County and has been discussed ever since 1895 when the first commission to inquire into the reclamation of Bronx River was appointed.

COTTERILL, R. The parks, playgrounds and boulevards of Seattle. (Amer. City, September, 1912, p. 204.)

WHEELWRIGHT, ROBERT. The appointment and powers of park commissioners. A comparison of Chicago, New York and Hudson county. (Landscape Architecture, October, 1912, p. 25-40.)

Police

See also above the "General" group under Newark; also below Port development under New York City.

BROOKS, SYDNEY. Problem of the New York police. (Nineteenth Century, October, 1912, p. 687-700.)

CHIEF CONSTABLE'S ASSOCIATION OF CANADA. Official report of the seventh (Canadian Municip. Journ., July, 1912, p. 257-262.)

Police pensions; society's obligation to the discharged prisoner.

RUSSELL, CAPT. JOHN H. Report on the Bridgeport police department. August 28, 1912. 16 p. 8°.

Population

BAVARIA. Statistisches Landesamt. Bayern und seine Gemeinden unter dem Einfluss der Wanderungen während der letzten 50 Jahre. München, 1912. iv. 302, 264 p. 4°.

Comprises Heft 69 of the "Beiträge zur Statistik des Königreichs Bayern." This very minute study is occasioned by the alarming depletion of the population of Bavaria, caused both by high infant mortality and by emigration. While not entirely treated as a city problem much careful work has been done on the question of urban migration, both as to its causes and its effect on the food producing element. The textual part of the report closes with a chapter on the influence which changes in the population have on the taxing power of cities. A similar study on the relation of the migratory population to the taxes is entered below under taxation.

SCHOTT, SIGMUND. Die grossstädtischen agglomerationen des deutschen Reichs 1871-1910. Breslau, 1912. 130 p. 8°.

Heft I of Schriften des Verbandes der deutschen Städtestatistiker. Dr. Schott is Professor of Statistics at the University of Heidelberg. The Germans apply the term "Gross-stadt" to cities of 100,000 population or over. This very suggestive study of one of the most remarkable modern developments, viz. the German city, will be useful to every agency interested in the dynamics of the urban movement. In 1871 there were 8 German Grosstädte. In 1910 their number had increased to 48. Dr. Schott presents the progress of coagulation and its relation to the process of redistribution viz. city building, or, as he had modified the work, city bildung.

Port Development

BOULOGNE-SUR-MER. Chambre de Commerce. Port de Boulogne. Notice établie a l'occasion de l'inauguration du bassin Loubet. 1912. 50 p. illus. 1 map. 8°.

CITY CLUB OF NEW YORK. Bulletin, September-October, 1912. 2 leaves. 4°.

New York City police investigation—dental hygiene in the public schools—The freight terminal problem of New York City.

GREAT BRITAIN. Foreign Office. Report on the economic development of France in 1910 and 1911. London, 1912. 105 p. 8°. (Diplomatic and Consular Reports, Annual series no. 5001.)

On p. 26-31 is given a very clear summary of the operation of the act of January, 1912, establishing administrative councils at the eight great French ports, viz., Marseilles, Havre, Rouen, Dunkirk, Bordeaux, La Rochelle, Nantes and Cherbourg.

NEW YORK CITY. South Brooklyn water front committee. Letter from the president of the Bush Terminal Company and report of the committee relative to proposed control by the city of the Bush Terminal Railway. (City Record, October 10, 1912, p. 8007-8012.)

TOMPKINS, CALVIN. A comprehensive plan and policy for the organization and administration of the inter-state port of New York and New Jersey. 1912. 26 p., 1 map, 8°.

No. 18 of the numbered series of reports issued by the dock commissioner of New York City.

Public Health

See also below "Tuberculosis Suppression and Vital Statistics."

BOLDMAN, CHARLES F. A guide to some of the hygienic features of New York City. Prepared for the fifteenth International Congress on Hygiene and Demography. September, 1912. 66 p. 8° (New York City. Health Department. Monograph series no. 6.)

KERR, J. W., and A.A. MOLL. Common drinking cups and roller towels. An analysis of the laws and regulations relating thereto in force in the United States. 1912. 30 p. 8° (U. S. Public Health Service. Public Health Bulletin 57.)

—Organization, powers, and duties of health authorities. An analysis of the laws and regulations relating thereto in force in the United States. 1912. 452p. 8°. (U. S. Public Health Service. Public Health Bulletin 54.)

Includes municipal boards.

LIVERPOOL, England. Report on the health of the city of Liverpool during 1911. 288 p. maps, plates, 8°.

Report is made by E. W. Hope, M.D., the medical officer of health. The powers of the Liverpool medical officer are most comprehensive, including the housing, feeding, sanitation of the infant, young and mature citizen, as well as refuse disposal, smoke, abatement, lodging house, bake shop, factory inspection, etc. This report has a special return on the number and varieties of bacteria carried by the common housefly, illustrated with cuts and charts.

Public Utilities

See also above the "General" group, under Newark.

BRISTOL, England. Electricity department. Annual report and statement of accounts at March twenty-fifth, 1912. 28 p. 8°.

Maintained by the city since 1883. Operations of the year 1911-1912 resulted in a gross profit of £50,172. Included in the report is a special report by Prof. Lawrence R. Dicksee on the management of the reserve (for renewals) fund.

CHICAGO, Ill. Committee on gas, oil, and electric light. Report on the investigation of the Chicago Telephone Company. By Prof. Edward W. Bemis, October 25, 1912. 127 p. 8°.

—Joint report on comprehensive system of passenger subways for the city of Chicago by the harbor and subway commission and sub-committee of the council committee on local transportation. September 10, 1912. 14 p., 1 map. 8°.

DUNN, S. O. The problem of the modern terminal. (Scribner's Mag., October, 1912, p. 416-442.)

NEW YORK CITY. Commissioner of Accounts. Report in the matter of the investigation of the accounts of the municipal ferries, operated by the department of docks and ferries, city of New York. August 30, 1912. 6 leaves, 6 fold- ing tables. 4°.

NEW YORK STATE. Public service commission, first district. Dual system of rapid transit for New York City. September, 1912. 54 p., illus.

PLATTNER, WILLIAM. Report to the municipal electric light investigating committee of Rockland, Mass. 1912. 25 p. 8°.

Mr. Plattner, a consulting engineer of North Attleborough, Mass., was employed by a special committee of the town of Rockland, to make an examination of the existing physical conditions and operating efficiency of the present property of the Electric Light and Power Company of Abingdon and Rockland.

RICHARDSON, W. S. The terminal—the gate of the city. (Scribner's Mag., October, 1912, p. 401-416.)

"WHAT IS A MILLION DOLLARS TO THE CITY OF NEW YORK ANYWAY?" Letter to the mayor of New York City by Duncan D. McBean. September 24, 1912. 94 p. illus. 4°.

Written by the originator of the French method of constructing subaqueous tunnels. A review of the building of the Harlem River Tunnel, New York City, the first time the French method was used, the Detroit River Tunnel and the Lexington Avenue Harlem River Tunnel. A protest against alleged extravagance in expenditures for public construction works by the City of New York.

Refuse Disposal

MUNICIPALITY (THE). v. 13, no. 1, July 1912. Garbage collection number. 27 p. 8°.

Garbage collection in Wisconsin; refuse collection in the U. S.; garbage wagons, etc.

NEW YORK PUBLIC LIBRARY. List of works on city wastes and street hygiene. (Bulletin of the Library, October, 1912, p. 731-783.)

Schools

See also above the "General" group, under Newark.

LONDON, England. The organization of education in London. Printed for the London County Council. 5th edition. 1912. 32 p. 8°.

—Regulations made by the Council with regard to the education service. VIII. Management of public elementary day schools. August, 1912. p. 309-391. 12°.

—Same. X. School attendance. September, 1912. p. 431-441. 12°.

NEW YORK CITY. Board of education. Report of a special committee appointed by the board in regard to the teaching of shorthand in high schools. 2 leaves. 12°.

—Report submitted to the committee on school inquiry of the board of estimate and apportionment on the condition and efficiency of public school buildings of the city of New York by Charles G. Armstrong. July, 1912. 68 p., illus. 8°.

An earlier print in the *City Record* was noted in the October number of the *Review*.

—Estimate and apportionment board. Special report by the committee on school inquiry. October 31, 1912. 36 p. 4°.

On the report of Ernest C. Moore upon the organization and methods of the board of education and functions of local boards. Dr. Moore's report had not been published when this special report was issued, it is, however, at this time in press and will be noted later.

NEUKÖLLN, Germany. Das Schulwesen Neuköllns im Lichte der Hygiene. Herausgegeben vom magistrat. 1912. 31 p. illus. 4°.

Especially useful to those interested in the care of backward and defective children. Neukölln is the name which the ancient city of Rixdorf was authorized to adopt on January 27, 1912.

PHILADELPHIA PUBLIC EDUCATION ASSOCIATION. Thirtieth annual report, 1911-12. 32 p. 8°.

The Association at present has a membership of 1046. The report is an inspiring record of civic helpfulness. Address 1015 Witherspoon Building, Philadelphia.

Sewage Disposal

See also above the "General" group, under Newark.

NEW YORK CITY. Metropolitan sewerage commission. Preliminary reports on the disposal of New York's sewage. IV. Study of the collection and disposal of the sewage of the upper East River and Harlem Division. July, 1912. 17 p., 1 map. 8°.

—Present sanitary condition of New York harbor and the degree of cleanness which is necessary and sufficient for the water. Report of the metropolitan sewerage commission of New York. August 1, 1912. 457 p. plates A-G. 4°.

Address: Metropolitan sewerage commission.

Smoke Abatement

FLAGG, SAMUEL B. City smoke ordinances and smoke abatement. 1912. 55 p. 8° (U. S. Mines bureau. Bulletin 49.)

Since the fuel-testing investigations were begun by the government in 1904, and in some measure because of them, a marked improvement has been made in the smokeless burning of many fuels. This advance has resulted partly from a desire to improve general power plant economy, but more largely from a public demand for less smoke. The greatest advance has come and must continue to come through the organized effort of city smoke departments, supplemented by the active coöperation of citizens. In connection with its fuel investigations the bureau of mines has accumulated much information as to smoke abatement activities in various cities. The essential features of the information are presented

in the above noted report. The substance of the smoke ordinances of the 28 American cities having over 200,000 population is given, and the text of the smoke ordinances of Chicago, Pittsburgh, Des Moines, Milwaukee and Los Angeles is printed in full.

MILWAUKEE, Wis. Annual report of the smoke inspector for 1911. 16 p. 8°.

Charles Poetke, inspector. Office was created by chap. 21, General Ordinances of 1906.

PERKINS, GEO. H. The international smoke abatement exhibition held in London, March and April, 1912. (Journ. Amer. Socy. Mechanical Engrs., October 1912, p. 1543-1556.)

An informal report to the trustees of the Lowell Textile School who delegated the writer to attend the conference held in connection with the exhibition.

SMOKE ABATEMENT LEAGUE OF GREAT BRITAIN. Text of a smoke abatement bill, 1912. 4 p. 8°.

WATT, ERNEST. Smoke prevention. (Public Health (London) October 1912, p. 13-14.)

On a practical experiment in Partick, Scotland.

Social Surveys

See also above under "City Planning," under Montreal.

ARONOVICI, CAROL. The Newport survey of social problems. Prepared for the Newport survey committee. 1912. 59 p. 8°.

BURNS, ALLAN T. Need and scope of a social survey for Montclair, N. J. September 25, 1912. 23 p. 8°.

The report is made to H. E. Fosdick, chrm. of the Survey Committee, of Montclair.

BYINGTON, MARGARET F. What social workers should know about their own communities. Ed. 2, revised and enlarged. 1912. 42 p. 8°.

RUSSELL SAGE FOUNDATION. The social survey. Papers by Paul W. Kellogg, Shelby M. Harrison, Geo. T. Palmer, Pauline Goldmark and Robt. E. Chad dock. 1912. 62 p. 8°.

Reprinted from the proceedings of the Academy of Political Science, vol. 2, no. 4, July 1912. The

address of the Russell Sage Foundation is 105 E. 22d Street, New York City.

WHEATON, H. H. Survey of Rochester's Polish-town. (Common Good of Civic and Social Rochester, August 1912, p. 11-15.)

Continued from an article in the January number.

Special Investigations

See also above "Housing Reforms," "Loan Offices," "Markets," "Police" (under Russell) "Public Utilities," "Traffic Regulation" and "Schools."

MUNICIPAL ASSOCIATION OF CLEVELAND. The sheriff's office. Report of the investigation made by the Municipal Association in the interest of economy and efficiency. September, 1912. 26 p. 8°. (Efficiency series. Report no. 1.)

WEIL, A. LEO. Argument (stenographic report) for the Voters' League on charges against Jos. G. Armstrong, director of department of public works, September 30 and October 1, 1912, before the city council of Pittsburgh. 100 p. 8°.

The address of the League is 1374 Frick Annex, Pittsburgh.

—Argument (stenographic report) for The Voters' League on charges against John M. Morin director of department public safety, on October 4, 1912, before the city council of Pittsburgh. 78 p. 8°.

Streets

See also above the "General" group, under Newark.

GABELMAN, F. Roadway and lawn space widths and maintenance of boulevards and streets in Kansas City, Mo. (Amer. City., October 1912, p. 350.)

NEW YORK CITY. Report of the mayor's committee on pavements. Appointed in October 1911, to investigate and report on the present condition of the pavements of the city and how they can best be improved. March, 1912. 95 p. illus. 4°.

Street Railways

See "Public Utilities."

Subways

See "Public Utilities."

Taxation

HALLE, A. S. Die gemeindeeinkommen steuerleistung von Zuzug und Fortzug in Halle a. S. Ein Abgleich der steuerlichen Leistungsfähigkeit der Zu- und Fortgezogenen. 1912. 111 p. 8°.

Beiträge zur Statistik der Stadt Halle. Heft 19. A study based on a card record for 1909 of 70,000 migrants, of whom 15,500 were taxpayers. A chapter on the influence which the migratory population has on the taxing power of cities is included in the Bavarian report entered above under "Population."

NEW YORK CITY. Factors of value of new buildings and explanation of land value maps: 22 p. oblong 8°.

Published by the department of taxes and assessments. The land value maps referred to are an annual publication. In the issue for 1913, issued in September, 1912, the unit of value is flexible and not unalterable as was the case with former issues. This innovation will enable the taxpayer to make a comparison with the assessment and value placed on the property for taxation. In the case of former maps the unit of value could not be changed whereas under the new system the figures simply show the conclusions of the appraisers.

—Taxation of personal property in the state of New York. 21 p. 8°.

Compiled by Edward L. Heydecker and published by the department of taxes and assessments of New York City.

Telephone Companies

See "Public Utilities."

Traffic Regulation

CINCINNATI, O. Text of traffic ordinance of September 3, 1912. (Citizens' Bulletin September 7, 1912, p. 6.)

LONDON TRAFFIC. (London Municipal Notes, no. 90, November, 1912, p. 489-506.)

Discussion in the London County Council on October 15, on the subject of a central traffic authority for London. The London Times of October 4, 15-16, 19, 23-25, publishes a series of notable articles on the London traffic problem.

NEW YORK CITY. Report of the special committee appointed by the rules committee of the board of aldermen to investigate the speed regulations of the city together with a proposed ordinance. July 9, 1912. (Proceedings, Board of Aldermen, July 9, 1912, p. 156-163.)

Transportation

See "Public Utilities."

Tuberculosis Suppression

BILLINGS, JOHN S., JR. The tuberculosis clinics and day camps of the department of health. July, 1912. 123 p. 8°. (New York City. Department of Health. Monograph series no. 2.)

Vital Statistics

BERLIN, Germany. Tabellen über die Bevölkerungsvorgänge Berlins im Jahre 1910. 1912. 4 p.l., 134 p. f°.

Published by the Statistisches Amt of Berlin. An annual publication and a model of municipal vital statistics.

Water Supply

See also above the "General" group under Newark.

PHILADELPHIA, PENN. A great industrial plant and its owners. September, 1912. 20 p.

Water supply educational series. booklet no. 1, bureau of water, Philadelphia.

BOOK REVIEWS

THE REGULATION OF MUNICIPAL UTILITIES. Edited by Clyde Lyndon King, Ph.D. New York: D. Appleton and Company, pp. ix + 404, \$1.50.

In the annual meetings of the National Municipal League no subject has received a larger share of attention than the adequate control and regulation of municipal utilities. The discussion of this subject began with the first meeting of the League in Minneapolis, in 1894, when Edward W. Bemis presented a paper on "Some Essentials of Good City Government in the Way of Granting Franchises," and it has continued almost without interruption through all subsequent meetings down to that held in Los Angeles during the past summer, when papers were presented on "State versus Municipal Regulation of Public Utilities" and "Street Railway Franchises." To go through this mass of material and present the best there is in it to the public in a thoroughly usable form was no easy undertaking. This task Dr. King has admirably performed in his book, which is the third in the series now being published by the National Municipal League for the purpose of making available for the general public the great mass of material heretofore to be found only in the published proceedings of the annual meetings.

The author divides his subject into five parts. Part I, which is introductory, discusses the need for public regulation and the relative value of regulation and municipal ownership, and closes with an account of the Minneapolis gas settlement as a typical struggle between the modern city and the corporations intended to minister to the wants of its citizens. Part II is entitled "Regulation Through Franchise," and as the title suggests deals with the essentials of a good franchise and the necessity of a constructive policy in granting franchises. "Regulation Through Municipal Utility Commissions" forms the subject of Part

III, which, after a discussion of the need for utility commissions in general, gives some of the results obtained by Municipal utility commissions in Los Angeles, Kansas City and St. Louis. Part IV considers the regulation of public utilities by state commissions, as distinguished from city commissions, and summarizes in separate chapters the results obtained in three typical states: Massachusetts with its three advisory commissions of the older type; New York with its two strong commissions having jurisdiction in different territorial divisions of the state; and Wisconsin with its single commission possessing vigorous regulatory powers. Part V is very brief and consists of a few pertinent conclusions drawn from the preceding discussions. A brief but well selected bibliography and the index complete the volume.

In the preparation of the volume Dr. King has played the part of author as well as editor. Six of the nineteen chapters are from his pen and they are certainly not the least valuable parts of the book. One will scarcely find the reasons for public regulation of public utilities more clearly and concisely stated than the author has stated them in the opening chapter. In his chapter on "Municipal Ownership versus Adequate Regulation" he appears as an advocate of public ownership, not as an end desirable in itself, but, in a way, as a gun behind the door to be used when necessary upon refractory utility corporations. If, however, our attempts at regulation should ultimately prove ineffectual, he would not hesitate to urge public ownership, for he believes that the abuses of non-regulation are far greater and more pernicious than the evils of municipal ownership. "Only in case these abuses of private ownership can be abated, should the tendency toward municipal ownership be checked." The rest of the book is a search for means and methods of abating these abuses, in

order that public ownership with its attendant evils may not be forced upon us.

In his chapter on "Franchise Essentials," Dr. King reaches the following among other conclusions: (1) That the franchise term should be as short as is consistent with profitable investment. (2) That the indeterminate franchise has distinct merits over the definite term franchise. (3) That proper extensions and adequate service are more important than financial compensation to the city. (4) That the franchise should reserve to the city and the state unrestricted powers of regulation and unhampered means of franchise enforcement. (5) That provision should be made for an amortization fund and for ultimate reversion to the city. This chapter, supplemented by Dr. Maltbie's careful summary of New York City's franchise experience and the excellent paper by Dr. Wilcox on "A Constructive Franchise Policy," furnishes the reader with a fairly complete view of the most recent conclusions on what should go into a utility franchise. As a still further aid in this direction there is presented the "Model Street Railway Franchise," which was prepared and presented at the Richmond Conference of the League, in 1911, by James W. S. Peters, president of the City Club of Kansas City, and Dr. Delos F. Wilcox, chief of the bureau of franchises for the public service commission for the first district of New York.

The author's presentation of the need for utility commissions leaves little to be desired, and he shows conclusively that the problem can not be solved by local commissions alone. There must be state commissions with power to deal with corporations that extend beyond the jurisdiction of a single city, such as interurban railways and long-distance telephone and telegraph companies. State commissions, too, are needed to furnish help to the smaller cities, for to them the expense of maintaining an efficient utilities commission would be prohibitive. The local commissions should not be abolished, however, but should

be retained to deal with purely local problems and to serve as supplements to the state commissions, which the author regards as the essential agencies in the work of regulation. He would concentrate power and responsibility in a few hands and he would secure the best possible talent for the commissions by offering liberal salaries and relatively long terms of service. "The attempt" to quote directly, "to regulate million-dollar corporations through men of wee calibre is but another way of saying that the million-dollar corporations may do the regulating. The highly paid, well-fed corporate expert must be met with a highly paid, highly equipped civic expert. The commissioners themselves need not be technical experts, but they must be sufficiently trained to supervise the most technical of experts. By this method the community can protect itself against the most cunning and greedy of its serving concerns."

In conclusion, it may be said that the book seems destined to prove a very useful tool in the hands, not only of students of municipal problems, but of the men actually engaged in operating the machinery of city government. It is a distinct contribution to the literature of the subject with which it deals.

C. S. POTTS.

The University of Texas.



THE NEW CITY GOVERNMENT. By Henry Bruère. New York: D. Appleton and Company, \$1.50, postpaid \$1.62.

Every reformer knows within his heart that his own reform is the one essential and he endures with more or less secret indulgence the other men who think that theirs is the *sine qua non*. Without such an undying inward spark of fanaticism the enthusiasm of the promoters of betterment schemes would all flicker out before they could kindle the cold hearts of mankind. But the average reformer acquires, a bit unwillingly, a saving sense of humor regarding his hobby and

manages to see good in other men's efforts.

"The bureau of municipal research crowd" have been a bit slow in finding the aforesaid sense of humor and have been in years past rather careless about allowing the reformer's instinctive provincialism of spirit to develop in the form of offhand and cocksure disparagement of proposals advanced by other thinkers.

It was with misgivings, therefore, that we saw them sally out to see if this much-praised commission government would really stand expert investigation of its administrative side. Now, commission government has smashed a host of old obstructions to clean politics and has become for a time the most available vehicle to carry us toward municipal freedom. We knew it was not perfect, but we knew it was a better and sounder environment for municipal ideals than the cumbersome, boss-ridden, machine-managed complication of obscurities that preceded it.

But how would it stand a broadside of 1300 questions? Suppose they found myriad shortcomings in these little western cities, reckoned by New York's latest administrative standards—would they recklessly exploit them in such fashion as to furnish plausible ammunition for every boss elsewhere who wanted to defend his rotten citadel from invasion by the new movement?

Well, they have come back and written a book—Bruère's *The New City Government*—and it is my pleasant task to record here the fact that although they missed some of the biggest things in commission government, they perceived much good in the new plan and were exceedingly careful to say nothing that could be construed as opposition to the commission government movement as such.

It has turned out to be not a book on commission government at all, but a study of ten cities, which happen to have commission government, in comparison point by point with the best standards of the day. Any other ten cities would

have served as object lessons equally well, and in fact the book would have been a more helpful contribution if cities of both the old and new type had been included. The latter scheme of study might have happened to show up the commission cities as decidedly inferior in administrative efficiency to the selected examples of the old type—the best work is not necessarily produced by the best tools—but the hope of America would still lie, for some years to come, in the spread of commission government.

The real test of the success or failure of a given system of government would be not the answer to the question, "Are the municipal accounts correctly planned?" but the answer given when you ask—"The current accounting system being so inefficient as to cause widespread dissatisfaction among the people (provided it does), does reform promptly ensue?" It is of no scientific value to learn that Dallas permits open vice in a segregated district unless we also learn whether that condition flourishes in the face of public disapproval or receives general sanction. Des Moines, on the other hand, is reported practically viceless, but the "Researchers" should have made sure that a viceless town is what Des Moines really wants to be. It might have been that a few powerful citizens had forced virtue on an unwilling electorate in which case the clean conditions would be an indictment of the commission plan and not a commendation.

However, some incidental light is cast on these municipal governments as tools. Many claims as to their real democracy are proven sound and from the standpoint of political science nothing ugly or even disappointing, is disclosed. In fact a reprint of certain pertinent chapters would constitute an excellent piece of propaganda literature for the commission government movement.

There is an over-concentration upon problems of administration as if these city governments were mere business corporations. They have examined the administration of those towns and praised

or censured in the light of what *they* know an administration ought to be, and the lesson of the book consequently is that while commission government is a success so far as it goes, it doesn't and can't succeed without "municipal research." Very true. And other reformers, coming to ten commission governed cities after the "Municipal Researchers" had gotten them all fixed up would say that commission government doesn't and can't succeed without proportional representation or single tax or socialism. It depends on what "succeed" means and the only standard for success is the eagerness and completeness wherewith the government conforms to the local popular demands.

For the commission government movement is not a movement toward efficient government or good government—but toward bossless, politicianless, popular government; a pre-requisite to establishing the former on any lasting basis. And since that point did not loom large in the philosophy of the municipal researchers, their report gives disappointingly little data on commission government's main claim for consideration. They observed the commonplace collars and traces of these new governments instead of the new bridles and reins.

Accordingly, the real interest and value of the book—and it *is* interesting, and it *is* valuable—lies in the illuminating make-up of their examination paper with its suggestive implications rather than in the answers given by the ten cities.

RICHARD S. CHILDS.

New York.

✱

SEWAGE DISPOSAL. By George W. Fuller. New York: McGraw-Hill Book Company. \$5.

PRACTICAL METHODS OF SEWAGE DISPOSAL FOR RESIDENCES, HOTELS AND INSTITUTIONS. By Henry N. Ogden and H. Burdett Cleveland. New York: John Wiley and Sons. \$1.50.

Rarely does a book appear which deals so thoroughly with a large and complex

technical subject as does Mr. Fuller's *Sewage Disposal*. More remarkable still the volume, while addressed primarily to engineers, chemists and bacteriologists having to do with sewage disposal, may be readily followed by any layman of fair intelligence who through official position or interest in one of the most trying problems of modern sanitation has occasion to inform himself as to various current methods of getting rid of sewage. The success of the author in meeting the large task which he undertook needs no explanation to those familiar with his quarter-century of close experimental and practical studies of his subject. These began at the Lawrence Experiment Station of the Massachusetts State Board of Health, of which Mr. Fuller was for some time Director, and have been continued as a consulting engineer and sanitarian who has directed many other experiments, as well as the building of many of the most important water and sewage purification plants in this country.

Added to this Mr. Fuller is a facile and lucid writer, so that what flows from his pen has not only the authority of knowledge and experience but also the grace and clearness of good literary style.

This is not the place, nor is space available here, to enter into a detailed consideration of the contents of Mr. Fuller's book. Suffice it to say that it deals at length and authoritatively with the composition of sewage, and with the chemistry and bacteriology of sewage and of sewage disposal methods; with the problems of sewage disposal in relation to general nuisances, to public water supplies and to health; and with the different means of sewage disposal, including disposal by dilution, and by all the many methods now in general use or which promise to come into use in the near future. Under disposal by dilution, or by discharge into water, which Mr. Fuller, in common with other well-posted engineers and sanitarians, considers perfectly legitimate when properly controlled, inland streams,

lakes, tidal estuaries and the ocean are separately considered. The chapters on preliminary or preparatory treatment, such as may be required prior to disposal by dilution or before subjecting the sewage to a more or less high degree of final treatment, take up screens, septic tanks (including the Travis and Imhoff "two-story" tanks), chemical precipitation tanks and electrolytic treatment. The final processes considered embrace filtration or oxidation by means of slow sand, sprinkling or percolating, and contact filter beds; also aëration, as well as hypochlorite and ozone disinfection. There is also a brief chapter on small plants, for treating the sewage of residences and institutions.

By means of frequent references, condensations and oftentimes quite extensive extracts, the author brings to the reader a large amount of information from many scattered sources, all properly correlated with his own expository and critical remarks. The illustrations are few, compared with many other books, but they are well chosen and well rendered. Most of the chapters close with a brief résumé, which is one of the best features of the book. There is a full index.

Mr. Fuller's book is concerned with underlying principles and with what may be expected from their application, rather than with the actual engineering details of design and construction, although considerable attention is given to many of the elements of design. Throughout, the volume presents and interprets data impartially and judicially, but with no uncertainty where finality of opinion seems to be warranted. It is these features of the book, together with its clearness of exposition and its freedom from technicalities, where these can be awarded without "writing down," which make the book promise so much for the health officer, the physician and the layman and state official who wishes the latest authoritative information on sewage disposal.

Finally, the book may well be urged upon the attention of all those whose interest in measures to prevent water

pollution has but lately been aroused, but who have not yet had or taken time to inform themselves upon the real nature and complexity of the sewage disposal problem, both in itself and in its relation to water supplies, the public health and the public purse.

The relatively small book by Professor Ogden and Mr. Cleveland appears to have been prepared to meet the present large demand for practical information on the design and construction of small sewage treatment plants for a single building or a small group of buildings. After a brief introduction, in which the problem of sewage treatment and the essentials to its solution are set forth, the authors take up settling tanks, valves and siphons, sub-surface irrigation, the various types of filters, broad irrigation and cost estimates. Little is said about sprinkling or percolating filters, which the authors do not regard as well suited for small installations.

The drawings presented are unusually clear and suggestive. The text is, as a rule, well calculated to inform the non-technical class of readers for whom the book is more particularly intended. Its contents might well aid in laying out works for a small village or group of isolated houses.

Doubtless the authors did not intend their book to be of the every-man-his-own-engineer class, for they of course realize that even the owner of a single house would, in 99 cases out of 100, save money and much trouble by engaging an engineer to design sewage treatment works for him. But many laymen find themselves in a position where such a book as this would be of great help to them, even if they finally called in an engineer.

M. N. BAKER.

Montclair, N. J.

✱

THE MILK QUESTION. By M. J. Rosenau. Boston and New York: Houghton-Mifflin Company. \$2 net.

Originally delivered at Northwestern University as "The N. W. Harris Lectures" for 1912 the contents of this

volume comprise a scientific, comprehensive, scholarly and up-to-date exposition of the milk problem in its relation to public and private health. The viewpoint, naturally, is that of hygiene and sanitation, but the economics of the subject and fair play for milk producers and sellers are repeatedly brought to the front.

After an introductory chapter the author takes up, with much detail, milk as food, dirty milk, the diseases caused by infected milk (tuberculosis, typhoid fever, scarlet fever, diphtheria, septic sore throat, etc.), clean milk and pasteurization. Then comes a brief chapter on infant mortality. The concluding chapter, "From Farm to Consumer," considers the farmer and the price of milk, the sanitary phases of milking the cow, the middleman, the care of milk in the household (an important but generally overlooked matter) milk grades, milk standards, various milk products, preservatives and many other subjects. A reference list of sixty-five entries and a good index complete the volume.

In his opening paragraph Professor Rosenau well says that the milk question, although "only one small part of the pure-food problem," which "in turn is only one chapter in the great book of hygiene and sanitation," is really a broad and deep question, and one which "pervades the whole domain of preventive medicine and touches many economic and social forces." In this spirit has the book before us been written. The solution of the milk problem, as expressed in the closing paragraphs of the book, is as follows:

To keep milk clean, we need inspection. To render milk safe, we need pasteurization.

Inspection goes to the root of the problem. Through an efficient system of inspection, the milk supply should be cleaner, better, fresher and safer. Inspection, however, has limitations. These limitations may be guarded against by pasteurization.

A milk supply, therefore, that is both supervised and pasteurized is the only satisfactory solution of the problem.

Better than inspection and pasteurization, for infants, is mother's milk. This is well explained in the text and forcibly illustrated by a "Long and Short Haul" drawing. The "Long Haul" shows a long tube passing from a cow in a barn through a dozen or more intermediate stations, each with opportunity for infection, before it reaches the baby's bottle and then the baby itself. The "Short Haul" can be guessed.

Thousands of lives and millions of dollars would be saved if this book could be given the wide circulation and close attention which it deserves. Members of health boards, family physicians, milk producers, middlemen, and dealers, and milk consumers of years and discretion, would profit by close study of the book. Women's Clubs in particular might well make the volume a subject for close study, to the end that their members would constitute themselves one great army of milk inspectors—for once the women insist on clean safe milk and become willing to pay a reasonable price for it the milk problem will be well-nigh solved. M. N. BAKER.

Montclair, N. J.



MAJORITY RULE AND THE JUDICIARY.

By William L. Ransom. New York. Charles Scribner's Sons, 1912. pp. xx, 183.

This little volume, by a well-known member of the New York bar, contains an interesting discussion of various matters connected with the recall of judges and the place of the judiciary in a system of popular government. While not an extremist in his views upon these subjects the author is in sympathy with the proposals to make judges and even judicial decisions subject to recall. He believes that a better adjustment in the constitutional relation of the courts to the law-making power is bound to come, and this before very many years have passed. It is his hope that such readjustment may be secured without an explosion such as might wreck the right-

ful prestige of the courts. The author contends that the Massachusetts policy of permitting the removal of judges by a majority vote of the legislature has impaired neither the independence nor the caliber of judges in that commonwealth. Therein he has read the history of Massachusetts aright; but it is to be remembered that in this matter the legislature of the Bay State has developed a tradition which seems to be quite as strong as a constitutional prohibition; for not once in the last thirty years has Massachusetts recalled a judge from office under this provision.

In discussing this whole matter of judicial recall and in pointing so frequently to the Massachusetts provision for removal by legislative action there is a point which Mr. Ransom and most other writers on the subject seem to overlook. That is the fact that this Massachusetts arrangement was borrowed from England where judges had long been subject to removal from office by the crown on an "address" from both houses of parliament. But the genesis of this provision in England is not to be found in any endeavor to facilitate the removal of judges. On the contrary it was brought into being by parliament in an endeavor to render the tenure of judges more secure, and to prevent their displacement for other than the soundest reasons.

On most of the matters which he deals with, Mr. Ransom is accurate as to his facts and fair in his conclusions. He has done us a real service in making clear just what supporters of that proposal mean by 'the recall of judicial decisions.' The volume contains a spirited introduction by Colonel Roosevelt.

WILLIAM BENNETT MUNRO.

Harvard University.



HANDBOOK FOR HIGHWAY ENGINEERS.
By Wilson G. Harger and Edmund A. Bonney. New York: McGraw-Hill Book Company.

The authors of this handbook, aided by thin paper, good typography and

presswork have compressed into a real "pocketbook" a mass of information needed by engineers and contractors engaged in road building. At the same time they have given many facts and suggestions which would be useful to the layman who wishes to post himself on the design and construction of good roads. The volume, however, is not designed for laymen and a large part of its contents would be of no use to most of them. It is intended, the authors state, for inexperienced as well as experienced road builders. The authors, it may be added, are members of the engineering staff of the New York state department of highways and have drawn largely upon data pertaining to the extensive work of that department.

Without going far into the details of the contents of the *Handbook* it may be stated that it takes up, in order, grades and alinement, road sections, drainage, foundations and top courses for broken stone roads, and the various materials of construction, also surveys, office practice, cost data, and specifications. There are many pages of tables—for earthwork computation and for use in surveying and like calculations.

The volume promises to be a valuable addition to the rapidly growing list of indispensable engineers' handbooks. It is all the more welcome because it is the first one to be published solely for the benefit of the road engineer and contractor. It should be understood that city streets and pavements are not covered, except in so far as the various types of water-bound and bituminous-bound macadam are available for city use.

M. N. BAKER.

Montclair, N. J.



HOUSING PROBLEMS IN AMERICA. PROCEEDINGS OF THE FIRST NATIONAL CONFERENCE ON HOUSING. New York City, 1911.

The proceedings of the first annual conference on housing, now made available by the publication of this well-edited

and printed volume, have a significance apart from the topics discussed in the very fact that this was the first conference of the sort. The president, Robert W. DeForest, calls attention in his opening address to the circumstance that the bringing together of men and women interested in this reform followed a half-century of work and agitation, and was the natural outcome of a spreading interest in the subject and increasing consciousness of its national scope. The papers and discussions range from broad and general subjects like city planning, presented by Frederick Law Olmsted, to severely practical details such as the disposal of garbage and rubbish and the abolition of the unsanitary privy vault. The impression that they make upon the reader might be expressed in the words of the health officer of Hamilton, Ontario: "I am delighted with everything I have heard—it is so practical." There is a notable absence of fads from the discussion and through all is apparent a healthy optimism, which neither blinks unsatisfactory conditions nor quails before them. A glance through the list of delegates is equally encouraging, as showing how widely representative they were, and how many agencies for human betterment stand behind them.

GEORGE LYNDE RICHARDSON.

Philadelphia.

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LANDSCAPE GARDENING STUDIES. By Samuel Parsons. New York: John Lane Company, paper boards, 6x8½ inches; pp. 107, with many inserted plates, \$1.50 net, postage 12 cents.

The high reputation of the author of this book leads to expectations in respect to its value which are not fully borne out in its examination. The preface, for instance, quite adequately outlines the work of the landscape architect, as might be expected, but it is followed at once by a chapter on the intimate detail

of lawn-making, which is, even if admirable in its detail, simply a gardening essay. So, too, the first page of a chapter on evergreens introduces this subject most adequately and practically ends it, save for a mere nursery list of species. Throughout the book there is this constant intrusion of the details of garden work, which, while excellent in themselves and the result of a lifetime of practical experience, do not seem to fit the dignified and stated purpose of the book.

There is a chapter on rhododendrons which is a pleasing discussion of that great plant family, but it is not a landscape gardening study, nor is the account fully given in one chapter of Mrs. Russell Sage's mile of rhododendrons in Central Park, a landscape gardening study in the true sense.

Much more to the point of the title are the chapters describing St. Nicholas and Coney Island parks in New York, country places in Pennsylvania and Alabama, and several "homestead" parks. The long service of Mr. Parsons in the sometimes arduous work of maintaining Central Park in the heart of New York City naturally colors his utterances, and it is as a record of the difficulties surmounted in that work that this little volume has its highest value.

J. HORACE MCFARLAND.

Harrisburg, Pa.

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THE OFFICIAL SOUTH AFRICAN MUNICIPAL YEAR BOOK. Edited by W. P. M. Henderson, assistant town clerk, Durban, and Francis G. Pay, Cape Town, 540 pp.

This volume contains the usual interesting statistics about the cities in Cape Province, Natal, the Transvaal, the Orange Free State and Rhodesia. It also contains a number of articles on special subjects including a digest of legal decisions affecting municipal corporations. There are also a number of

unofficial articles on special subjects, as municipal abattoir and hygienic scientific removal. The volume contains in addition to the statistics the names of the

chief officials. The illustrations deal mostly with mining plants and seem designed to reinforce the advertisements rather than the reading matter.

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THE CALL OF THE NEW SOUTH. Addresses delivered at the Southern Sociological Congress, Nashville, Tenn., May 7-10, 1912. Edited by James E. McCulloch. Nashville: Southern Sociological Congress. 1912.

CHILD LABOR IN CITY STREETS. By Edward N. Clopper. New York: The Macmillan Company. \$1.25.

CIVICS FOR FOREIGNERS. By Anna R. Plass. Boston: D. C. Heath and Company. 50 cents.

THE CONSERVATION OF THE CHILD. By Arthur Holmes, Ph.D. Philadelphia: J. B. Lippincott Company. \$1.25.

THE EVOLUTION OF SUFFRAGE, THE REMEDY FOR THE EVILS OF THE PRESENT RUDIMENTARY SUFFRAGE. By Frank J. Scott. New York: Longmans, Green and Company (Pamphlet.)

FIRE PREVENTION. By Edward F. Crocker. New York: Dodd, Mead and Company. \$1.50.

THE GOVERNMENT OF AMERICAN CITIES. By William Bennett Munro. New York: The Macmillan Company. \$2.25.

GUIDE TO THE UNITED STATES FOR THE JEWISH IMMIGRANT. A nearly literal translation of the second Yiddish edition. By John Foster Carr. Published under the auspices of the Connecticut Daughters of the American Revolution. 15 cents, postpaid, 20 cents.

HELPING SCHOOL CHILDREN. By Elsa Denison. New York: Harper and Brothers. \$1.40 net.

HYGIENE FOR HEALTH VISITORS, SCHOOL NURSES AND SOCIAL WORKERS. By C. W. Hutt. London: P. S. King and Son. 7/6 net.

LAW MAKING IN AMERICA. The Story of the 1911-12 Session of the Sixty-second Congress. By Lynn Haines.

Bethesda, Md. Cloth, \$1.00; paper, 65 cents.

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THE NEW IMMIGRATION. By Peter Roberts, Ph.D. New York: The Macmillan Company. \$1.60 net.

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RAILROADS: RATES AND REGULATIONS. By William Z. Ripley. New York: Longmans, Green and Company. \$3.00.

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MODERN PHILANTHROPY: A STUDY OF EFFICIENT APPEALING AND GIVING. By William H. Allen. New York: Dodd, Mead and Company. \$1.50.